

Azita Raji, who has been nominated to represent America in Sweden, is an accomplished businesswoman who has lived and worked in Europe, Latin America, and Asia. There has been more than 300 Swedish citizens who have left Sweden to fight with ISIS in either Syria or Iraq, making this nation the second largest country of origin per capita for foreign fighters coming from Europe to the Middle East. We need to get this done. It is not right for America to not be able to deal, on a daily basis, with the authority to help Sweden with their issues. The Swedish Government is on heightened alert for an attack. Yet we don't have a Senate-confirmed ambassador to represent us in Stockholm. She was first nominated to be Ambassador in October 2014. We are now in 2016. We don't have an ambassador to Sweden.

We don't have an ambassador to Norway, and it has been that way for more than 2 years. President Obama nominated a person by the name of Samuel Heins, an accomplished lawyer and humanitarian from Minnesota. His nomination is not controversial. It is only controversial, I guess, to the Koch brothers, the tea party, and Heritage Action. He should be confirmed without delay, but it has been 2 years.

Other State Department nominations have been blocked for partisan reasons by the junior Senator from Texas. Tom Shannon has been nominated to be Under Secretary of State. We don't have an ambassador to Mexico. Tom Shannon has been nominated to the fourth highest ranking position in the State Department. He would like to be serving. He would serve as the day-to-day manager of overall regional and bilateral policy issues and oversee State Department bureaus around the world. He is a career Foreign Service officer, having served under Presidents of both parties. If he is confirmed, he would be the highest ranking career diplomat in the State Department.

John Kerry called me saying: How can I continue this job I have? I don't have people to do the work. He doesn't even have a lawyer. The State Department doesn't have a lawyer. We have tried to confirm Brian Egan starting back in September 2014, but he has been held up for months and months.

Do you know what this is about? Clinton's emails—Secretary Clinton's emails. If the senior Senator from Iowa is interested in getting answers to his countless letters to the State Department, wouldn't a Senate-confirmed legal advisor be of some help?

Eric Fanning, the President's nominee to be the next Secretary of the Army, is being blocked by the senior Senator from Kansas, even though the senior Senator from Kansas, Mr. ROBERTS, said: "I think [Fanning's] a pretty good nominee." In spite of that, there is no vote on his nomination. The Army needs Mr. Fanning's leadership and responsibility for over a \$200 billion budget for more than 1 million servicemembers. Right now they are

making due at the Pentagon, but we should have a Secretary of the Army.

Unless Republicans change course, these important vacancies will go unfilled for the rest of the Obama administration, and our diplomacy and relationships around the world will continue to suffer because of what is going on here. I do not understand what my Republican colleagues are doing. If Republicans had their way, they would stop confirming officials at just about every key agency.

According to the Congressional Research Service, the Senate has confirmed an average of 351 nominations during the first session of the Congress. Last year the Senate didn't even get to half of what it normally does. The Republicans should get to work and schedule votes on the President's nominees.

Valid concerns about the qualifications of these nominees should be brought forth. We haven't heard any, but denying a vote for partisan gain does nothing to strengthen America at home or around the world. The American people deserve better.

This Senator says America is less safe because of what is going on with the Republicans in the Senate. We are not as secure as we should be. We have vacancies for Ambassadors all over the world that are not being filled. People within the State Department, the Treasury Department whose job is to deal with terrorism are being blocked. For the first time in 50 years we don't have anyone reported out of the banking committee. America is less safe because of what Republicans are doing to our country.

I yield the floor, Mr. President.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markey) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski (for Shaheen) amendment No. 2968 (to amendment No. 2953), to clarify the definition of the term "smart manufacturing."

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

Murkowski (for Barrasso/Schatz) amendment No. 3017 (to amendment No. 2953), to

expand the authority for awarding technology prizes by the Secretary of Energy to include a financial award for separation of carbon dioxide from dilute sources.

Murkowski (for Markey) amendment No. 2982 (to amendment No. 2953), to require the Comptroller General of the United States to conduct a review and submit a report on energy production in the United States and the effects of crude oil exports.

Murkowski (for Crapo) amendment No. 3021 (to amendment No. 2953), to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science.

Murkowski (for Schatz) amendment No. 2965 (to amendment No. 2953), to modify the funding provided for the Advanced Research Projects Agency—Energy.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided between the managers or their designees.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, good morning. This morning we are on day 2 of the Energy Policy Modernization Act. Yesterday, we took up this broad, bipartisan energy bill, the first of its kind in more than 8 years. Taking this up was a good moment for the Senate. It was an important step. It is the beginning of a series of steps that we will take to modernizing our Nation's energy as well as our mineral policies. I am hopeful we are going to have a good day of debate today.

As we begin this morning, I would like to summarize very briefly where we are in this process and what Members might expect over the course of the day. As of this morning, we have a total of 89 amendments that have now been filed to the underlying bill. We are already starting to process those amendments. We recognize that some will go by voice vote, some will of course need rollcall votes, and others simply will not be voted at all.

Right now we do have six amendments pending before the body. We have amendment No. 2963 that I have offered, which improves a provision in the underlying bill related to reliability impact statements. We have amendment No. 2968 from Senator SHAHEEN to clarify a definition for the term "smart manufacturing" that is contained within the underlying bill. We have an amendment from Senator MARKEY, amendment No. 2982, to require the Government Accountability Office to study the economic aspects of crude oil exports annually for 3 years. We have an amendment from Senator BARRASSO, amendment No. 3017, to establish a prize for technologies that can separate carbon dioxide molecules from dilute sources such as ambient air.

At noon we are scheduled to proceed to a rollcall vote on amendment No. 3021 to promote research into nuclear energy. There is a strong list of Members who are supporting this amendment: Senators CRAPO and RISCH from Idaho, along with Senator WHITEHOUSE of Rhode Island, Senator BOOKER of

New Jersey, Senator HATCH of Utah, and Senators KIRK and DURBIN from Illinois. There is a good bipartisan mix of Senators from around the country coming together to promote nuclear research with this amendment.

At 1:45 p.m. we will proceed to amendment No. 2965. This has been offered by Senator SCHATZ, and it will increase the authorized funding levels for ARPA-E in the underlying Energy bill.

Senator CANTWELL and I are both working with our staffs to reach agreement on any additional amendments that can be brought up for votes today. We will try to keep Members apprised as to what they can expect. I think both of us are hopeful that we will see more votes added to the list I have just described. We may have one as early as 11:30 this morning. That has not been worked out yet, but there is an option of course for more amendments in the afternoon, if Members are willing to stick with us on this.

As I mentioned yesterday in terms of some housekeeping details, and it is worth repeating today, I would urge Members not to wait to file amendments. Get your amendments in so we can be looking at them and assessing where they might fit, in terms of how we handle and process them. I think the earlier you are able to file these amendments the greater the likelihood that you will see a vote on them.

Again, as I mentioned yesterday, any amendments that cost money, any amendment that is going to score, you are going to need to find a viable offset in order for us to consider it. Further, if it is a measure that would result in a blue slip because it involves a tax provision or a tax amendment, know that is something we cannot consider.

Before I make some comments about some individuals, I want to make a few more brief remarks about the bill itself, this broad and bipartisan Energy Policy Modernization Act. I mentioned yesterday that we have a total of five titles within the bill, and we did not just construct them for organizational purposes. They represent some important themes in our policies within these areas.

The first title is "Efficiency." When you think about the importance of efficiency in the energy sector, it is a critical component. We should all always be looking for ways to be saving energy. It is just smart. It is smart from a cost perspective. It is smart from being a good steward perspective. It is just smart all the way around. It helps our businesses and our families save money. It makes our resources last longer. It is good for our environment. Efficiency is good overall.

"Infrastructure" is our second title. Typically, when we think about infrastructure, we think about the roads and bridges, but our energy infrastructure is integral to the daily operation of commerce that goes on around us when we are talking about energy infrastructure. It may be the big infrastructure such as the Hoover Dam. It is

also the electric wires, pipelines, and it is the whole infrastructure package. We have a responsibility to keep our infrastructure in good shape so that we can reliably and safely transport energy from the place where it is produced to the place where it is needed.

I joke sometimes, saying it is frustrating because there is not more education or understanding about our energy and our energy resources and how they work as much as we would like. I have joked that some ascribe to this "immaculate conception" theory of energy—it just happens. The lights come on, the temperature is what we would like it to be, and we do not care how or why it came to us or the fact that we might not have that energy resource right here in our neighborhood. It is just here, and as long as we are not inconvenienced because it is not too expensive and it is reliable, we are good with it. We do not think about how it gets to us and the necessity of reliable, safe infrastructure to take that from the source to the customer.

The fourth title is accountability. Again, like efficiency, it just makes good sense to ensure that, as we are building out our energy policies, there is a level of accountability that comes with it—that our Federal agencies work efficiently and effectively as good stewards of taxpayer dollars. I think we have plenty of room for improvement when it comes to accountability right now.

I mentioned yesterday that in addition to a pretty robust accountability title, we remove some deadwood, some reports and requirements that have built up over the years that get incorporated into our United States Code, and then they just sit there.

As they sit there, it is not just that they are benign. The agencies still go ahead, and they have the reports that we here in Congress have required of them. That costs money. Nobody reads them. We have taken care of that within the accountability title.

Then the fifth title is the title that relates to conservation aspects as it relates to the Land and Water Conservation Fund, an issue that I know the Presiding Officer is very interested in and would like making sure there are reforms there. We want to work to make sure that the reforms are good and sound, also making sure that our national parks have the focus on maintenance that they need. We have a responsibility to ensure that we are taking care of our parks and public lands, to not let the addition of more parks come at the cost of not taking care of what we already have.

Rather than just kind of doing the 30,000-foot level on each of these various titles, I want to highlight today a little bit about the third title of this bill, the title that deals with energy supply.

Over the past few years, we have seen several things. We have seen a lot of good things that happen when we are producing our own energy here in this

country and the benefits that accrue to us when our energy is abundant. It is not just access to energy, but it is also what allows us in terms of energy economic security, something that leads to the creation of good jobs. As the economy grows here, our security increases. Really, we become far more competitive.

So, again, when I talk about energy, strong energy policies, and an energy security focus, keep in mind these things reinforce one another. You have energy security leading to economic security, leading to national security. It moves all the way around. That, again, allows us to be more competitive over all other nations.

Our bill would help keep our Nation's oil and natural gas production going strong. We have included a pilot program from Senator HOEVEN for oil and gas permitting. We would expedite the process for liquefied natural gas exports, which could help us raise our domestic production levels. I want to say also that we did not just focus on oil and gas in this bill because we recognize drawing our energy from a variety of sources creates reliability and stability. We all know that Alaska is an oil-producing State. We focus a lot in our State on oil and being able to access it responsibly. We also know that when you are reliant on one source, there is a vulnerability. So when we talk about an "all of the above" approach to energy production, we mean it. This kind of approach just makes sense. It makes sense because it lessens your vulnerability. It increases not only your energy security, but your economic security and your national security as well.

So focusing on all aspects of our energy sources is key to what we do within this bill. We took some good steps to produce more hydropower in this country by helping to reduce the regulatory barriers and extending the licensing period for hydropower projects. This is important to us as a nation, especially when we think about resources that already exist through hydropower and the additional capacity that we could potentially gain from these already existing hydropower resources. This is significant.

Geothermal is another area where we have an emissions-free source of baseload energy. Again, so much of what we talk about with renewables and part of the big problem that we face is that some renewables are intermittent. The wind does not always blow and the sun is not always out, so you have to have a reliable baseload. Our reliable baseload for a century has been coal.

We have a reliable baseload with nuclear. When others think about those other areas where we have reliable baseloads, they also ought to think about the potential of geothermal. Our bill includes a number of provisions to help us expand the use and reduce the cost of this important renewable resource. We are doing some exciting

things up in Alaska, as we are identifying sources to access geothermal energy resources.

In another area, in Alaska and in some of the other coastal States, whether it is Maine or down in Oregon, we are seeing some good progress, some interesting progress when it comes to marine hydrokinetic energy, which has the potential to draw the power from the movement of the oceans and river currents. I just mentioned reliable baseload. You need to have something that you can rely on.

The Presiding Officer comes from the interior part of the country. I come from a State that has almost 34,000 miles of coastline. One of the things that we know in Alaska is how the tides come and go. We can print up tide books because there is reliability as to when the tide is in and when the tide is out. So think about the potential for energy resources from our oceans, from our river currents. What we do within the bill is help advance marine hydrokinetic energy. We are attempting to help move it out of its infancy and focus the DOE on some pretty critical research areas.

We also have a great subtitle on minerals. Oftentimes we forget about the strategic importance of critical minerals. Every one of us is walking around nowadays with a smartphone. Every one of us, therefore, is reliant on some form of critical mineral. For those who want to advance the energy future in the direction of renewables, well, in order for you to have a wind turbine, you are going to need some of these critical minerals from the Earth to allow us to really build out technologies.

Minerals are really the foundation of our modern society. We need them for everything, as I said, from our smartphones to our military assets. Yet, despite this importance, we have really failed as policymakers to focus on mineral security. We have not been thinking about it enough. We have been talking a lot about this: Oh, we do not want to be reliant on oil. We do not want to be reliant on OPEC, and we work to address that. In the meantime, we have taken our eye off the ball when it comes to mineral security. We now import 100 percent of 19 separate mineral commodities and more than 50 percent of some 24 additional commodities. This is happening despite the growing importance of those minerals in our everyday lives and despite what we have here in this country, which is a world-class mineral base. When we talk about energy security and making sure that we are able to produce more here to reduce our vulnerability, energy security also needs to include that mineral security.

We also have provisions to promote our domestic supply of helium. A lot of people do not think about helium in the energy space. We promote nuclear power, particularly our advanced nuclear power, to help foster a strong energy workforce. So when we talk about

the direction that this energy bill goes, I mentioned yesterday that innovation is the key to so much of what we are trying to push out as we modernize our energy policies.

As important as innovation is, supply is a case where more really is better. As a result of this good title that we have contained in the Energy Policy Modernization Act, I think our energy and our mineral supplies will increase in the years ahead to the benefit of America.

TRIBUTE TO MIKE BRUMAS

Mr. President, I know my colleague from Hawaii is here on the floor, but I want to take just a few minutes to acknowledge something the leader mentioned regarding an individual in his office, someone that has served him well, Mike Brumas. Mike has been working for Leader MCCONNELL now for a number of years and has done a great job in the communications department.

I too am very privileged to have had him leading my communications department between 2008 and 2010. Mike is one of those men whom you can call a southern gentleman. He has a little bit of a twang that did not quite fit with the Alaska reporters, but it did not matter because he was so knowledgeable on all issues—all issues that we dealt with, including some of the most parochial and local of Alaskan issues.

Mike Brumas embraced his job with an enthusiasm and a professionalism that was genuinely and sincerely appreciated. I know that he and his wife Ann are probably going to be spending a lot more time out on their bicycles and enjoying their time together. We happen to share timing; their two sons are just about the same age as the two sons that Vern and I have been raising. So we kind of shared parenting experiences as our sons grew into men.

It has just been a delight to spend the time getting to know Michael Brumas and seeing him as an exceptional professional here serving the Senate, both for me and for Leader MCCONNELL. So I wish him well and great adventures in his retirement.

TRIBUTE TO KAREN BILLUPS

Mr. President, as I am speaking about retirement, I must mention a woman who is not with us as we are debating and navigating this Energy Policy Modernization Act. That woman is a friend and an incredible professional who headed up the Energy and Natural Resources Committee for me for the majority of the past several years. After 25 years in the Senate, Karen Billups has said: I am moving on to more excitement, moving on to spend that time with a young son that she has.

Karen is an individual with an incredible reputation, incredible integrity, and a graciousness that will be long remembered on this floor and around this body. She first joined the Energy and Natural Resources Committee back in 1995. Before that, she had served with distinction at the De-

partment of Energy during the first Bush administration. She was in private law practice, and she was also on the staff of the House Committee on Energy and Commerce. She has had a breadth of experience on the private side, within the Executive branch, in the House and then, of course, in the Senate. After joining the committee again in 1995, Karen served as counsel and then she came on as senior counsel.

I think it is worth noting that Karen has worked through—or perhaps lived through—two Murkowskis because when my father was the chairman of the Energy and Natural Resources Committee, Karen Billups worked for him. And when I came to the Senate and had Karen at the helm working as counsel, I have to tell you it was extraordinarily reassuring. In those early years, she focused on a whole host of different issues that face our Nation, from energy to civilian and defense nuclear waste. She was also the troubleshooter. She mentored our younger committee staff and ensured that Members and senior staff were all in alignment and that the direction was clear. Again, this was with a focus that was firm but yet very appreciative of the different dimensions she had to deal with. She is a woman who was able to navigate with a level of finesse. She is a woman who is able to navigate with finesse.

After service in the private sector, Karen came back as deputy chief counsel in 2003, and I was very grateful when she accepted a promotion to be my chief counsel in 2009. Then in 2013 she agreed to step up to serve as my staff director and had been in that capacity until we concluded the end of 2015.

I think it is so important to acknowledge what Karen not only lent to the committee, to me, to my office, but also to the many on the floor who worked with her on energy issues. Karen set a standard for excellence and achievement, and she worked tirelessly—truly tirelessly—to improve our policies to upgrade and to improve our Nation's energy resource, lands, and forestry policies. You might say she was a policy wonk, but you didn't get that impression from her because she did it with a genuineness and a passion that clearly showed.

Karen steered a wide range of legislation into law, everything from boundary adjustments, to helping the economies of small western towns, to the landmark Energy Policy Act of 2005. Then as we wrapped up last year, she was able to pull together the end-of-year omnibus with the energy pieces that we had attached to that, the Transportation bill that had an energy title that had come over from the House side, and tax extenders. She worked in a way that was quiet and amenable but, again, firm and effective. In many ways her work continues today through this bipartisan Energy bill and the other legislation she guided to introduction. What we are seeing

today has been done with the assistance—the mastermind, if you will—of Karen Billups.

As the ranking member and now chairman of the committee, I depended daily on Karen's thoughtful leadership, her patient counsel, and her wise judgment. I mean it when I say she was not only a trusted advisor but deeply skilled and motivated by the best traditions of service to the Senate and to the Nation on every issue that came before the committee. She had an understanding of the operations of this body.

I know those who work the floor appreciated Karen's evenhanded skills. She helped point the way with a strategic vision for policy and oversight. I think she is probably one of the best lawyers I have ever met. Again, she was not just a leader for the staff, she was a mentor for them. She was an advocate for them. That is very telling of true leadership.

Karen's service to the Senate was marked not by length but by distinction and by grace. She has truly earned the tremendous respect that she enjoys here and all throughout our Nation's Capital. Her legacy speaks for itself—a stronger energy policy that benefits every American and an Energy and Natural Resources Committee that continues to work together to tackle our toughest challenges.

For all of these reasons and so many more, Karen truly stands out in my mind not only as a leader but as a real friend. As she embarks on this very well-deserved retirement, she knows that I wish her, her family, her husband Ray, and her great son Davis all the best as she goes off to her new endeavor. I wanted to take a moment to acknowledge the good work of a great lady who has helped shepherd this bill we have before us.

Mr. President, I notice that we have a couple of Members on the floor who I am assuming would like to speak to the Energy bill before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I wish to start by congratulating the chair of the Energy and Natural Resources Committee, the senior Senator from Alaska, for her leadership on this bill and so many other issues. She is a testament to how the Senate should operate. She is a testament to the tradition of bipartisanship that characterizes this body when it is behaving properly. I thank her and congratulate her for her leadership on this issue and many others.

I also thank the ranking member, Senator CANTWELL from Washington State, for her leadership on this and many other issues. They have formed a good and productive partnership.

Our energy system is undergoing a fundamental transformation. In the last 8 years, wind power capacity has grown by more than 400 percent, and solar capacity has grown by more than

2,500 percent. In 2015, wind and solar comprised 61 percent of new generation capacity. Last year in the United States, by far the majority of new generation was clean energy. So what has happened is that the clean energy revolution is no longer aspirational. It is no longer something people put in a bullet point in their campaign brochure or as a talking point in a debate. It is actually happening. It is actually real, and it is across the country. We drive more hybrids and electric vehicles and increasingly use efficient appliances and manufacturing equipment. We have made incredible progress in driving down the costs of clean energy, but we cannot let this progress stall out. We need to modernize our infrastructure in order to integrate greater amounts of renewable energy and save money for consumers through energy efficiency.

This bill is a positive step in transitioning our energy system from the 19th and 20th centuries into the 21st. There are a number of provisions that are worth highlighting.

First, the bill proposes \$500 million in research and development for grid-scale storage. This will allow us to use even more electricity from renewable sources. There is no doubt we are going to continue to need baseload power, but the assumptions about the percentage of baseload power that we need in order to have good power quality across our grids are changing. For instance, in the State of Hawaii the basic assumption was that you couldn't have more than about 15 percent of penetration of intermittent renewable energy. Well, we now have parts of our grid that are 35 percent, 45 percent, renewable energy. So the old assumptions are being thrown out the window, but no doubt we are going to continue to need to have Federal research and private sector research into this question of how much intermittent renewable energy a grid can accommodate without sacrificing power quality. This \$500 million investment is going to be a big help toward that.

This bill will also continue investments in grid modernization that will help to smooth the integration of distributed renewable generation. This will make a real difference in improving reliability while reducing individuals' reliance on fossil fuels.

This bill would also permanently reauthorize the Land and Water Conservation Fund. This is not just the most successful conservation program in our Nation's history—and that would be a good enough reason to permanently reauthorize it—it is also an economic driver, returning \$4 in economic value for every \$1 invested.

AMENDMENT NO. 2965

Last, but certainly not least, this bill increases funding for energy research and development at the Advanced Research Projects Agency-Energy, which is desperately needed because only the Federal Government can undertake the kind of high-risk, high-reward research that will allow us to maintain our economic dominance in this space.

But I think we must do more on energy innovation, so I have offered an amendment to increase the authorization for ARPA-E above and beyond what is in this bill. Specifically, the amendment sets forth authorization levels as follows: \$325 million for fiscal years 2016 to 2018 and \$375 million per year for fiscal years 2019 through 2020.

This is a relatively modest increase of just \$113 million over 4 years. It is important to remember that ARPA-E was the brainchild of a National Academies report which recommended to Congress that they establish an ARPA-E within the U.S. Department of Energy, modeled after a very successful program in the Department of Defense called DARPA. The agency was credited with such innovations as GPS, the stealth fighter, and computer networking.

In 2007, Congress passed and President George W. Bush signed into law the America COMPETES Act, which officially authorized the creation ARPA-E. In 2009, Congress appropriated and President Obama allocated \$400 million to the new agency, which funded ARPA-E's first projects.

In the years since, despite bipartisan support, ARPA-E has not received more than the \$280 million in funding. Yet this agency has had incredible success with even this modest amount of funding. For example, ARPA-E awardees have developed a 1-megawatt silicon carbide transistor the size of a fingernail and engineered microbes that use hydrogen and carbon dioxide to make liquid transportation fuel. They invest in pioneering research that is groundbreaking, transformative, and amazing. Think about what they could do with just a little more money.

Innovation in advanced energy technologies can be a significant part of the solution to any number of challenges: increasing the reliability of our grid, lowering our electricity rates, hardening our energy infrastructure against cyber attacks, and many others. ARPA-E is helping to fund projects at the cutting edge of all of these challenges—and more.

I encourage my colleagues on both sides of the aisle to continue to support ARPA-E and to vote for this amendment and to support the underlying bill, which is an important step to paving the way to a revolution in the way in which we produce and consume energy in the United States.

Mr. President, I ask unanimous consent that all time during the quorum calls be equally charged to each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I rise to praise the ranking member and the chairman of the committee on the great job they have done on this legislation. I have worked for years with Senator MURKOWSKI. She is a real trooper and has done a great job for our country and for her State of Alaska. Senator CANTWELL of Washington is the same. I am pleased to work with them on this particular legislation, which I support today.

I am rising to talk for a minute about an amendment Senator BENNET of Colorado and I will be offering to the bill at the appropriate time called the SAVE Act.

The SAVE Act is a way to encourage people to finance and include in the purchase of a new home the right types of energy efficiency additions to that home, which will lower the cost of energy to the home, improve the rate of consumption of energy in the home, and make it easier for people to afford energy-saving R-factors for insulation, Thermopane for doors and windows, and other treatments they need to reduce costs.

I spent 33 years in residential real estate. I don't know much about anything, but I know a lot about people buying houses and about housing laws and about financing, and I know this: For the entry-level borrower—and this addresses only FHA loans—the most important thing to have the right type of energy efficiency is to be able to afford it, and the best way to be able to afford it is to be able to finance it. If you don't allow the incorporation of the value of the additional cost of the additional R-factor for insulation or Thermopane factor for windows and doors, then people don't end up choosing energy efficiency; they choose less efficient houses which last for 30 or 40 years and burn more energy in their lifetime than they would have if we had not had a way to incentivize people to incorporate energy efficiency into the purchase of their new home.

So my story is very simple. We are here today to encourage energy efficiency, encourage savings on energy, and encourage people to focus on energy, to be a more energy-independent country. The best way to do that is to make sure we take the mechanisms of purchase—being the FHA loan in this case—and incorporate and consider for financial value purposes, for the appraisal and for the loan-to-value ratio and for qualification purposes, the savings of the R-factor improvements, Thermopane improvements, and other energy efficiency improvements put in.

At the appropriate time—sometime today—I will ask the chairman to recognize me to set aside the pending amendment and make this amendment pending, but until that time, I wanted to come to the floor to let Members know we have an outstanding piece of legislation which scores at zero in terms of costs, applies only to FHA loans, encourages energy efficiency, and allows people to afford to build it

into the financing of the purchase of a house. It is a win-win-win. I am proud to work with Senator BENNET on this legislation.

I appreciate being recognized by the Chair.

Mr. President, I yield to the minority whip.

The PRESIDING OFFICER. The assistant Democratic whip.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, I rise today to speak to two separate issues. First, I wish to speak to the issue of for-profit colleges and universities.

Yesterday another for-profit college was accused by a Federal agency of misleading and deceiving students. The Federal Trade Commission announced it filed suit against DeVry University for advertisements that deceived consumers about the likelihood that students would find jobs and earn money after they graduated from DeVry.

DeVry's commercials and advertisements date back to at least 2008—about 9 years that they have been claiming that “since 1975, 90% of DeVry graduates system-wide in the active job market held positions in their fields of study within 6 months of graduation.” Starting in 2013, they also claimed that DeVry graduates “had 15 percent higher incomes one year after graduation on average than graduates of all other colleges and universities.”

The Department of Education started investigating these claims in August of last year. After asking DeVry for proof of their statements in these ads, the Department announced yesterday that the company was “unable to substantiate the truthfulness of those representations, as is required by federal law.” As such, the Department of Education ordered DeVry to stop making these false claims and required DeVry's future claims related to employability and income to be verified by an independent monitor. At the same time, it appears the Department will allow DeVry to continue to participate in Federal title IV programs—receiving taxpayer dollars and enrolling new students. How much Federal funding does DeVry receive? In 2013 and 2014, DeVry Education Group, brought in more than \$1 billion in taxpayer funding through title IV.

The company's president, Daniel Hamburger, received \$5.7 million in total compensation in 2014—\$5.7 million. If we compare the salary this president took from DeVry University—which receives the lion's share of all of its funds from the Federal Government—we will find he is compensated dramatically more than college presidents across the United States. The president of the University of Illinois—a major flagship institution and research university—makes a base salary in the neighborhood of \$600,000. By comparison, DeVry's president, Daniel Hamburger, received \$5.7 million in total compensation thanks to the taxpayers and students.

Meanwhile, according to a recent study by Brookings, DeVry students

cumulatively owe more than \$8.3 billion in federal student loan debt. It is no wonder considering the average cost of an associate's degree—a 2-year degree—at DeVry is about \$40,000. In 2009, DeVry's 5-year cohort default rate on student loans was 43 percent. That means that of the students who left DeVry in the year 2009, 43 percent—almost half of them—had defaulted within 5 years of leaving DeVry. I have said it before of Corinthian—a for-profit school that went out of business—and I will say it now of DeVry: Students shouldn't be left holding the bag for the misdeeds of these private, profit-making corporations that are skimming so much money from the taxpayers.

The Department of Education has found that DeVry's claims could not be substantiated as required by Federal law.

The Federal Trade Commission is also suing DeVry over claims of misleading students and consumers. Students who were harmed should be eligible for expedited Federal student loan relief through defense to repayment. But let me remind those who are following this debate: Follow the money. Taxpayers across America pay their taxes. The money goes into the Federal Treasury, and then the money goes—through the Treasury and through Pell grants and student loans—to students and their families, to these private, for-profit colleges and universities. The private, for-profit colleges and universities, such as DeVry, deceive and mislead the students about the value of their education and whether they will get a job after they graduate. The students end up wasting their time and their money because they end up with a huge student debt when it is all over. And what happens? They default on their debt, which means the taxpayers don't see the money going back to the Treasury, which we hope for, or in some cases the schools—like Corinthian—fail, and as a result the students are relieved of their debt obligations—as they should be, so the taxpayers again are the ultimate losers.

The for-profit colleges and universities of the United States of America are the most heavily subsidized private sector businesses in our country—not a defense contractor or a farm operation; for-profit colleges and universities.

The DeVry news follows a particularly bad year for this industry. In 2015 more misconduct and schemes were exposed when it came to for-profit colleges and universities than ever before. Enrollment across the industry is declining, as students and their parents finally realize that many of these schools are just bad news. State and Federal regulators are shining a light on the illegal tactics of the for-profit college and university industry. Stock prices for these private, for-profit corporations are plummeting because investors realize that exploiting these students, misleading these students, and swindling taxpayers is not a sustainable business model.

Years of bad behavior are catching up with for-profit colleges and universities, and it shows in how for-profit education companies are closing their schools across the country. Even in my home state of Illinois, we have seen dramatic changes over the last year. It started with the collapse of Corinthian. This company was inflating its job-placement rates to lure in new students, defrauding the students, their families, and taxpayers, and lying to the accrediting agencies and Federal Government. When Corinthian collapsed, more than 70,000 students were left in the lurch, many with more debt than they could possibly repay and a Corinthian education that turned out to be virtually worthless.

In Illinois, the campuses Corinthian operated as Everest College in the villages and towns of Bedford Park, Burr Ridge, Melrose Park, Merrionette Park, and Skokie were then sold to ECMC. ECMC was a new creation. This company that created this new not-for-profit, in name at least, college, incidentally, is a major debt collector for the U.S. Department of Education and had no previous experience running an educational enterprise. What qualified them to start a college, I don't know. Unfortunately, ECMC maintained much of the old Corinthian leadership and maintained practices to keep students from suing them for misconduct. After the Illinois Board of Higher Education pushed them on some of these issues, ECMC decided to teach-out its newly acquired campuses in Illinois and leave the State, thank goodness.

Then there is Westwood. Illinois attorney general Lisa Madigan—whom I respect very much—sued Westwood College for engaging in deceptive practices. Attorney General Madigan's suit focused specifically on Westwood's criminal justice program. In order to lure students into the program, this private, for-profit college, Westwood, convinced the students they could get jobs with the Chicago Police Department or the Illinois State Police if they would just hang on and get a degree from Westwood. What happened when the students graduated and took their degrees and diplomas to employers and applied for a job? The employers laughed at them. They didn't recognize a Westwood degree.

In November, Attorney General Madigan reached a settlement with Westwood. It agreed to forgive \$15 million in private student loans for Illinois students—private loans, not federal loans. Shortly thereafter, Westwood announced it would stop enrolling students and end operations at its campuses nationwide, including the four it operates in the Chicagoland area. Thank goodness and good riddance to Westwood.

Also in 2015, Career Education Corporation, which is another for-profit college, announced it would close its brands Sanford Brown, Harrington College of Design, and Le Cordon Bleu, all of which had campuses in Illinois.

Thank goodness and good riddance. In Chicago, an associate's degree in culinary art at Le Cordon Bleu would have cost \$42,000, and students had a one-in-five chance of defaulting on any loans they took out for that associate's degree. If the students walked a few blocks away to Chicago City Colleges' Kennedy King Campus, in comparison, they could have received the same degree not for \$42,000 but for \$7,000. And the likelihood of defaulting on student loans at City Colleges is not 1 in 5, as it was at Le Cordon Bleu, it is 1 in 20.

Harrington—I have talked about them before. Harrington College of Design exploited Hannah Moore, a young woman from Chicago whom I have come to know. She got her degree at Harrington after transferring from a community college. She couldn't find a job in her field with her Harrington degree. It turned out to be worthless. What did it cost her to get the degree, this for-profit college degree that Harrington heavily marketed? Hannah paid \$125,000. She still carries that debt to this day, and it is growing. She can't pay it off fast enough, and it has ballooned to \$150,000. This poor young woman. Her life is compromised because of the exploitation of her ambition to do something important in life. She had to live in her parents' basement. Her dad came out of retirement to try to help his daughter pay off her students loans because, you see, the loans that are taken out to go to any institution of higher education are not like money borrowed for a car or a home; these student loans are not dischargeable in bankruptcy. What does that mean? You are going to carry them to the grave.

Many student loan debts that are in default are being collected in the most unusual places. Grandmothers who helped their granddaughters by co-signing their loan for college—when the granddaughter defaults, it is the grandmother and in some cases her Social Security payments that are withheld to pay off these student loans. These loans will haunt these students, many of them for a lifetime, particularly if they have gone to these for-profit schools.

Finally, even though it is not in Illinois, I want to mention Ashford University. On a campus in Clinton, IA, just across the Mississippi River, Ashford has shown itself to be one of the worst actors in the for-profit college industry.

A Bloomberg News story told of James Long, who suffered a brain injury when he was in service to his country in the Army, driving a humvee in Iraq that was attacked. An Ashford recruiter went after James Long and got him to sign up to use his military education benefits to enroll in classes that this individual, sadly, could not even remember because of the traumatic brain injury he had suffered.

In 2014, Iowa attorney general Tom Miller announced a \$7.25 million settlement with Ashford University. Miller

accused the school of violating Iowa's Consumer Fraud Act after the Iowa attorney general received multiple complaints filed by current and former Ashford students. This included complaints that this for-profit school misled students to believe that an online Ashford education degree would allow students to become classroom teachers with no further certification.

I remember Ashford because our former colleague, Senator Tom Harkin of Iowa, held a hearing and talked about how Ashford bought what was a small Catholic college, took on their accreditation, and started peddling the for-profit education that was worthless. Do you know what the faculty of Ashford University consisted of at that time? One faculty member for every 500 students. Do you know what the people who were running this scam operation were paid? Millions—millions of dollars of taxpayers' money. The investigation found that Ashford recruiters, in addition, misled prospective students, used high-pressure sales tactics, and failed to disclose information about the cost and likelihood of obtaining a degree.

In 2015, Ashford announced it was going to close its Clinton, IA, campus—thank goodness and good riddance. It is for the students who could have been exploited by these companies that I say this: It is time for us to stand up as a Congress and Federal Government and put an end to this insidious scam of students, their families, and the taxpayers.

Thousands of students in Illinois and all across the Nation have been lured into attending these for-profit schools with lies or deception. Don't take this Senator's word for it. Take a look at the litany of schools that are under investigation by State and local authorities for fraud. Many students, such as Hannah, have so much debt that their lives and futures are compromised.

Over the last year, I have joined several of my Senate colleagues to push the Department of Education to provide Federal student loan debt relief to students who have been taken advantage of by the for-profit colleges. We have an obligation here. To think that we are shoveling \$25 billion into these for-profit schools every single year without asking the hard questions about whether taxpayers' dollars and student debt is justified by the results. Shame on us—we can do so much better. The numbers tell the story. Ten percent, or 1 out of 10, of college students in this country attend for-profit colleges and universities, and 20 percent of all the Federal aid to education, or \$25 billion, goes to these for-profit colleges and universities. In spite of it only accounting for 10 percent of college students, these for-profit colleges and universities account for over 40 percent of student loan defaults. They charge too much, their diplomas are worth too little, and these students suffer as a result.

What is our obligation here? Is this a "buyer beware" situation when it

comes to the students and their families or is it a situation where “Congress beware” if we aren’t more sensitive to the fact that we are propping up an industry that is exploiting these students and taxpayers.

With the closure of these campuses in Illinois and several of these companies moving out of the State all together, the educational landscape is a little safer for the thousands of Illinoisans trying to do the right thing—to get an education for themselves and their families. There is a sensible alternative in virtually every city and town in America—community colleges, city colleges. They are affordable, and in most cases the credits are transferrable to major universities and students don’t incur the kind of debt that can compromise their lives for years and years to come.

I have spoken on the floor many times about these for-profit colleges and universities. In one respect it is a fairly easy issue and easy topic. They need to be held accountable, as DeVry is being held accountable by the Department of Education and the Federal Trade Commission for their misconduct.

Now the question is this: Will the Congress step up to its responsibility to clean up this situation?

Mr. President, the Senate is currently considering a bipartisan energy bill that will help put our country on a pathway to build a 21st century economy. It contains several important provisions to develop domestic clean energy resources, and I look forward to working with my colleagues through the amendment process to strengthen it.

I wish to congratulate Senator LISA MURKOWSKI, a Republican from Alaska, and Senator MARIA CANTWELL, a Democrat from the State of Washington—the chair and ranking member of the Energy and Natural Resources Committee—and applaud them for their effort and thank them for bringing this bipartisan measure to the floor.

The Energy Policy Modernization Act is a result of the committee’s multiple hearings on over 100 individual bills. If passed, it will be the first major energy bill approved by Congress in 9 years.

A lot has changed in 9 years. The United States has dramatically increased natural gas and oil production. Renewable energy production has skyrocketed and the cost of this has decreased. More Americans are using it. We are also finding new and better ways to address our most pressing energy and climate change challenges.

The bill before us takes those new developments into account and updates our policies. The act strengthens energy efficiency measures for Federal buildings and multifamily homes and reauthorizes important programs such as weatherization and energy. In Illinois, that means tens of thousands low-income and elderly households will be able to receive critical upgrades that

will make their homes more efficient, allowing them to spend less money to keep their homes cool and warm. It will also help maintain Illinois’ leadership as the top State for LEED-certified buildings as ranked by the U.S. Green Building Council.

The bill encourages the development of new energy resources such as geothermal and hydropower and better ways to store carbon dioxide, which will help us address the challenge of climate change. Most importantly, the bill makes a substantial commitment to supporting basic science research and innovation at universities and the Department of Energy’s laboratories. The Energy Policy Modernization Act authorizes 4-percent annual budget increases for the DOE Office of Science and the Advanced Research Projects Agency.

As cochair of the Senate National Laboratory Caucus, I strongly support these increases at DOE’s Office of Science because I know it will lead to new breakthrough scientific discoveries that will keep America competitive.

Since their creation in the 1940s, the national labs have really done some amazing things on energy innovation, scientific discovery, and national security. In Illinois, both Argonne and Fermi serve as a meeting place for the world’s best researchers. The work conducted at their labs leads to advances in alternative-fuel vehicles and improvements in energy efficiency. Universities from across the country use the labs to conduct research and train others. That is why earlier this year I introduced a bill, the American Innovation Act, to provide 5-percent real growth to DOE’s Office of Science.

I hope to offer an amendment on the floor. A 4-percent annual increase when it comes to the Office of Science in the Department of Energy, for example, is good, but that is not 4 percent over inflation. If inflation is running at 2 percent, it is merely a 2-percent real increase in research. I think we ought to err on the side of investing more into research. I think we should have 5-percent real growth in investment in the National Institutes of Health, the Centers for Disease Control and Prevention, the Department of Defense medical research, and the Veterans Administration medical research. Then when it comes to this side of the ledger, such as innovations, let’s include the Office of Science and many other key agencies.

I visited the Department of Energy a few months ago, and I had breakfast with Ernest Moniz, who is the Secretary. I talked to him about biomedical research, and he said: There is something I need to share with you. The Office of Science in the Department of Energy is developing the technology for imaging the brain so we can detect early indications of Alzheimer’s. Currently, unfortunately, the only way to really say that a person is suffering from Alzheimer’s with any objective

assurance is through an autopsy. If we can—through imaging devices, while a person is still alive and before they have really started to decline—detect and work on stopping the progress of Alzheimer’s, it would be an amazing achievement.

Once every 67 seconds in America someone is diagnosed with Alzheimer’s. I challenged my staff when they told me that, and they were right. Almost every single minute a person is diagnosed with Alzheimer’s.

Last year, in Federal funds, we spent in Medicare and Medicaid \$200 billion on Alzheimer’s patients. Imagine what was spent in the private sector, and imagine the kind of sacrifices and the spending that were made by families trying to maintain the care of a family member stricken with Alzheimer’s.

So putting a little extra money into biomedical research, or in this case research at the Office of Science, is money well invested. If we can slow down the progress of Alzheimer’s and find a way to delay it—even months—it will pay back this investment over and over. God willing, if we find a cure, it will justify every penny we put into this research.

I will offer an amendment, and what I am asking is basic. I am asking for authorization for 5-percent real growth that is over inflation. I think that is the least we can do, but I think it will be a significant commitment and substantially more than is currently in the bill.

The work at these labs has led to amazing advances, and I think there is more ahead of us. In addition to supporting basic science research, the act before us directs the Department of Education to build a research program to develop the next generation of computers—1,000 times faster than our current supercomputers. Is it possible? I believe it is. I am not an expert in this field, but you have to step back and say that it is amazing when they tell us that the cellphones we carry around have more computing power than the early computers that Steve Jobs and others brought to market.

Currently, companies around the world use supercomputers to solve problems and answer important questions. Boeing and Cummins have both used DOE supercomputers to design better airplanes and trucks and use less energy so that they burn fuel more efficiently. This has led China, South Korea, and Europe to get into the competition. They are in the race, too, for the next generation of supercomputers. I want America to win that race. The bill before us, with its investment and research, can make a difference. The government should invest in these labs and in research to create jobs and competitive businesses. This bipartisan energy bill can achieve that and lead this country to a brighter future with greater energy resources that have a lighter impact on the environment and build a stronger economy. Because the energy choices we make now will determine the future of our children and

grandchildren, we ought to be serious about it. We ought to make the investments for a sustainable planet and a promising, bright future.

I hope my colleagues will work together to improve this bill and help us create a 21st century energy economy. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

Mr. GARDNER. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT

Mr. GARDNER. Mr. President, we just left the Senate Foreign Relations Committee, as the Presiding Officer knows as a member of the Foreign Relations Committee, where we passed, with overwhelming bipartisan support, legislation to increase our sanctions against the rogue regime in North Korea.

About a year ago I had a conversation with Senator CORKER, the chairman of the Senate Foreign Relations Committee, about the need for the legislation. We both agreed that North Korea poses a serious and growing threat to its neighbors, to the U.S. homeland, and to global security. We agreed we could not continue to ignore the forgotten maniac—the forgotten maniac who is Kim Jong Un.

This past August I had an opportunity to visit with South Korea personally to meet with the President of South Korea, Mr. Park, and we agreed that the status quo with regard to North Korea was no longer sustainable and no longer responsible. That is why this past October I introduced S. 2144, the North Korea Sanctions and Policy Enhancement Act. I thank the sponsors of that bill—Senators RUBIO, RISCH, PERDUE, and ISAKSON—for cosponsoring the legislation and the chairman and his staff for their encouragement and invaluable support to make that bill a reality today, along with Senators CARDIN and MENENDEZ, who worked so hard, and the work Senator MENENDEZ has been leading over the past year as well. This is a bipartisan product that came out of the committee. As the chairman announced today, we will most likely see floor time in just a couple of weeks.

On January 6, 2016, our worst fears were realized when North Korea conducted its fourth nuclear test. Moreover, North Korea has claimed this test was a hydrogen bomb, which is a vastly more powerful weapon. Even if the reports out of North Korea are not true that it is not such a weapon, it still

represents a significant advancement in North Korea's nuclear weapons capability. We also know North Korea continues to advance its ballistic missile program. News reports recently out of both Japan and in the United States talk about the equipment being moved for a possible additional missile launch.

ADM Bill Gortney, the head of U.S. Northern Command based at Peterson Air Force Base in Colorado Springs, CO, has publicly stated on several occasions that North Korea may have already developed the ability to miniaturize a nuclear warhead, to mount it on their own intercontinental ballistic missile called the KN-08, and to "shoot it at the homeland." Admiral Gortney reiterated those fears to me privately in our conversations numerous times as well, including his feeling—his concern—that the condition of the peninsula is perhaps at its most unstable point that it has been since the armistice.

North Korea continues to grossly abuse the rights of their own people. There are up to 200,000 men, women, and children in North Korea's vast prison systems. In fact, the United Nations Commission of Inquiry in 2014 found that North Korea's actions constituted a crime against humanity.

We have seen North Korea's cyber capabilities grow into an asymmetrical threat that they have utilized against its neighbors, South Korea and Japan, as well as the United States, as we all recall after the Sony Pictures hack in November of 2014. According to a November 2015 report by the Center for Strategic and International Studies, North Korea is emerging as a significant actor in cyber space with both its military and clandestine organizations gaining the ability to conduct cyber operations.

All of these developments represent a failure of U.S. policy of strategic patience toward North Korea. That is why this bill out of committee, with the strong bipartisan support that it received today, represents a final change in that failed policy. It allows us to change course and, in just a couple of weeks, we can put that legislation into effect.

The House of Representatives, as we know, passed 418-to-2 their own version of a bill sanctioning North Korea just a few weeks ago, and I thank the chairman for moving forward on our very strong substitute amendment today.

The Gardner-Menendez substitute before us today represents a slightly modified version of S. 2144. In particular, this legislation mandates—not simply authorizes, it mandates—the President to impose sanctions against persons who materially contribute to North Korea's nuclear and ballistic missile development; import luxury goods into North Korea; enable its censorship and human rights abuses; engage in money laundering or manufacturing of counterfeit goods and narcotics trafficking; engaging in activi-

ties undermining cyber security; have sold, supplied or transferred to or from North Korea precious metals or raw metals, including aluminum, steel, and coal for the benefit of North Korea's regime and its illicit activities.

These are mandatory sanctions. It is a dramatic new direction from the discretionary sanctions of today. I would note that these mandatory sanctions on North Korea's cyber activities and mandatory sanctions on the minerals are unique to the Senate legislation.

This bill also codifies Executive Order Nos. 13687 and 13694, regarding cyber security as they apply to North Korea, which were enacted last year in the wake of the Sony Pictures hack and other cyber incidents. This is also a unique feature of the Senate bill, the Gardner-Menendez substitute amendment.

Lastly, the mandatory sanctions on cyber violators will break new ground for Congress if enacted and signed into law, perhaps providing precedent for future cyber violations around the globe.

We need to look for every way to deprive Pyongyang of income to build its weapons program, strengthen its cyber capabilities, and continue the abuse of its own people. We must stop this regime's abuse, and we must also send a strong message to China, North Korea's diplomatic protector and largest trading partner, that the United States will use every economic tool at its disposal to stop the forgotten maniac.

I urge my colleagues to support this legislation when it moves to the floor. I congratulate Senator CORKER and Senator MENENDEZ for coming together with a bipartisan solution today so this body and the House of Representatives can pass this legislation and put it on the President's desk to be signed into law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I congratulate the Senator from Colorado for moving his amendment forward.

I am here on a different subject, which is to discuss an amendment that I submitted with Senator ISAKSON concerning residential energy efficiency. The so-called SAVE Act has always been thoroughly bipartisan, drawing the support of Senators ISAKSON, TOOMEY, MORAN, PORTMAN, BOXER, and others, and attracted support from groups all across the political spectrum from the U.S. Chamber of Commerce all the way to the Sierra Club.

Our amendment would allow for a home's energy efficiency to be considered when a borrower is applying for a loan by making a simple change to home underwriting and appraisal standards. Specifically, when you apply for a mortgage, you can request under this legislation an energy audit, and if you have a loan that is backed by the FHA, the energy efficiency of your home and your energy bills will be taken into account by your mortgage

lender. Without this change, even though homeowners spend more on energy costs than taxes or home insurance, the amount you pay each month for energy is not taken into account.

This amendment isn't a mandate. It doesn't require anything. It simply allows mortgage lenders to account for energy costs in the same way they account for taxes and insurance. It makes no sense that cosmetic improvements like new countertops increase a house's value, but an energy-efficient furnace, which will actually save homeowners thousands of dollars, does not.

This amendment will create thousands of jobs in manufacturing, construction, and energy efficiency. It will save homeowners money on their energy bills, and it will decrease foreclosure risk. It will increase the energy efficiency of our homes. It does all this by giving consumers a choice they don't today have.

I have heard from builders all across Colorado who support this amendment—people like Gene Myers, who is the CEO and founder of Thrive Home Builders. He has built more than 1,000 energy-efficient homes in the Denver area, but he understands we will not fully attain the benefits of efficiency in the market until we properly value it.

For these reasons, a large and diverse coalition supports this amendment, including the National Association of Manufacturers, the National Association of Home Builders, the U.S. Chamber of Commerce, and the U.S. Defense Council, among others.

I urge my colleagues to support this bipartisan and commonsense amendment to improve energy efficiency and create American jobs. I thank the Senator from Georgia, Mr. ISAKSON, for his leadership and his sponsorship of this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to speak about the Energy Policy Modernization Act of 2015—legislation that has been advanced by our Energy and Natural Resources Committee chairman, Senator MURKOWSKI, along with the ranking member, Senator CANTWELL. As a member of the committee, I appreciate their leadership on this important issue and this legislation we are now considering on the floor.

I think Chairwoman MURKOWSKI is right when she speaks to the need to update our Nation's energy policy and, in that spirit, I filed several amendments designed to advance our Nation's energy policy in key areas. Today I wish to speak briefly about these three amendments. These amendments would help provide regulatory certainty for cross-border infrastructure projects, the regulation and recycling of coal ash, and reaffirm State primacy for energy development, particularly when it comes to hydraulic fracturing or fracking.

First, let me talk about the North American energy infrastructure

amendment. One of the necessary components to leveraging our abundant energy resources and strengthening our energy security involves building the infrastructure to take energy from where it is produced to where it is consumed. Whether it is transporting crude oil or natural gas or modernizing and connecting our electric grid, these projects require long-term planning and investment, as well as a regulatory environment that promotes certainty and transparency, as well as impartial review.

That is why I have submitted an amendment which is identical to the North American Energy Infrastructure Act—S. 1228—that would modernize the existing Department of Energy Presidential permitting process for cross-border infrastructure projects.

This amendment, which is cosponsored by Senator DONNELLY of Indiana—it is a bipartisan measure—removes the need for a Presidential permit for the construction, operation or maintenance of a new oil or natural gas pipeline or electric transmission facility with Canada or Mexico and instead places the process in the proper Federal agencies.

While it does not alter the NEPA—again, I will repeat this. While it does not alter NEPA's—the National Environmental Policy Act—environmental review process, our amendment sets time limits for Federal agencies to make a decision on projects once those necessary reviews are completed. This will add greater certainty to the permitting process, and that certainty will help attract the long-term investment necessary to help us build the energy infrastructure we need.

These projects are too important to our economy and to our national security to be dragged out virtually for years, such as in the case of the Keystone XL Pipeline—more than 7 years. We need a process that is fact-based, transparent, consistent, and non-partisan, that will help support the important energy relationship between the United States and our closest friend and ally—Canada.

The Energy Department publicly states that it requires approximately 6 to 18 months to issue a Presidential permit. However, there are numerous examples of pipelines and electric transmission applications languishing far beyond that timeline. The many inconsistencies involving these applications speak to the need to update this permitting process.

So let's start with crude oil pipelines. Take, for example, the bureaucratic delays for the Plains All American Pipeline, which secured a Presidential permit from the U.S. State Department for its crude oil pipeline in 2007. In February of 2013, the company sought a name change permit from the State Department. However, it took until August of 2015—2½ years—before a name change was approved.

The State Department informed the company that its application for a

name change required a new National Environmental Policy Act—or NEPA—review because a separate pipeline, the Bakken North, based wholly within the United States, would connect to it. So to change the name, they had to do a NEPA review for 2½ years.

Electric transmission lines. There have also been many delays in siting electric transmission lines between the United States and Canada, and in a lot of cases that is for renewable energy. One example is the New England Clean Power Link, a 1,000-megawatt project delivering renewable energy spanning 154 miles between Vermont and Quebec. The company filed its application for a Presidential permit in May of 2014. Yet its application has been pending for over 20 months for a renewable energy electric transmission line.

Another example is the Great Northern Transmission Line, a 220-mile project that would connect Minnesota and Manitoba, bringing hydroelectricity and wind power across the border. The project's Presidential application was filed in April of 2014. While the review is ongoing and we hope an outcome will come soon, this application has been pending for almost 2 years.

The third example is the Champlain Hudson Power Express project, a 333-mile underground and underwater project. It will bring 1,000 megawatts of hydroelectric power from Quebec to the New York City area. The application for a Presidential permit was initially filed in January 2010; yet it took almost 5 years—until October 2014—for the Presidential permit to be issued.

Inconsistent delays in the Federal review timelines, which last longer than the Energy Department's 6- to 18-month target—the target is 6 to 18 months, not 5 to 7 years—inject uncertainty, risk, and costs into all of these vital projects.

Commonsense reforms are needed so the project proponents and consumers can benefit. This is exactly what this legislation does. Specifically, this amendment would eliminate the Presidential permit requirement for construction or modification of new oil and natural gas pipelines, as well as electric transmission facilities, that cross the national boundary of the United States. Instead, it places the process in the proper agencies.

It would require that the certificate of crossing will be issued by the Secretary of State for oil pipelines, the Energy Department for electric transmission lines, and FERC and the Energy Department for cross-border natural gas pipelines, as currently configured.

It requires the State Department to issue a certificate of crossing on a cross-border pipeline permit within 120 days upon completion of a NEPA environmental review process. There is the NEPA environmental review process, but then 120 days after that, they have to make a decision and they have to issue a certificate of crossing unless

the agency finds that construction of the cross-border segment is not in the public interest of the United States.

It would retain the NEPA review of the potential environmental impacts of a new project at a border crossing and leaves unchanged all other environmental, land, or wildlife reviews currently applying to any other pipeline constructed in the country. In other words, the States would still oversee the NEPA and permitting processes, as they do now.

It would provide for an open and transparent rulemaking process to determine the definition of “cross-border segment,” which would be used to help determine the scope of the NEPA review process. That is because requiring a NEPA review for the entire pipeline project duplicates the multiple Federal, State, and local agencies’ regulations, processes, and authorities already in place.

There are numerous existing State and Federal laws and regulations for the review and approval of siting, land acquisition, design, and construction of projects. Those remain unaffected by this amendment. For example—and this is important—State laws and regulations governing pipeline siting remain unchanged by this amendment. Federal laws and regulations governing design, construction, safety, and environmental review of the pipelines remain unchanged. State and local laws and regulations regarding land and rights-of-way acquisition for infrastructure projects, such as pipelines, would remain unchanged. Construction and operation of a pipeline in the United States must comply with the safety regulations of the Pipeline and Hazardous Materials Safety Administration. This is a separate process from the NEPA process and is also unchanged by this amendment.

The measure would provide appropriate authority and scope to the State Department for examination of border-crossing impacts of projects. Other reviews by the Department of Interior, Bureau of Land Management, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers for issues such as environmental, land, and wildlife impacts are appropriate and remain unchanged.

The amendment would require FERC to approve natural gas cross-border pipelines consistent with current policy. It also requires the Energy Department to issue a permit within 30 days of the receipt of the FERC action. Again, these are rational timelines, so there is some consistency and dependability in the process.

Finally, the amendment also specifies that existing projects do not need further approvals for new or revised Presidential permits for certain modifications. These include alterations such as volume expansion, adjustments to maintain flow, or changes in ownership.

This is commonsense legislation that can help us build the vital energy infrastructure we need for this country.

At this point, Mr. President, I would ask how much time I have remaining.

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. HOEVEN. Mr. President, the next amendment I would like to review that I will be offering is identical to a bill introduced by Senator MANCHIN and myself. It is the Improving Coal Combustion Residuals Regulation Act of 2016, S. 2446. This legislation, which builds on our past efforts to find a bicameral, bipartisan approach to coal ash, ensures that there is safe disposal of coal ash and provides greater certainty for its recycling. This is a win from the industry standpoint of more energy, it is more cost-effective, but it is also an environmental win in terms of recycling coal ash, as well as making sure that when it is disposed of, it is done safely.

Coal ash is a byproduct of coal-based electricity generation that has been safely recycled for buildings, roads, bridges, and other infrastructure for years. In fact, I think it is important to take note of the environmental and financial benefits of coal ash recycling. Over 60 million tons of coal ash were beneficially used in 2014, including over 14 million tons in concrete. It has been calculated that taxpayers save \$5.2 billion dollars per year thanks to the use of coal ash in federally funded road and bridge construction. Products made with coal ash are often stronger and more durable, and coal ash reduces the need to manufacture cement, which resulted in greenhouse gas emission reductions of 13 million tons in 2014.

In December of 2014, the EPA put forth new regulations for the management of coal ash. The regulations made clear—at least for the time being—that coal ash would continue to be treated and regulated as a nonhazardous waste consistent with EPA’s earlier findings. However, the regulation has a major flaw: It relies solely on citizen lawsuits for enforcement. What this means is that neither the EPA nor the States can directly enforce the rules through a permit program with which owners and operators of coal ash disposal facilities must comply. Think about it. That means the regulation does not create the constructive regulatory guidance and oversight necessary to ensure the proper management of coal ash. Instead, the EPA regulation has created a situation whereby the only enforcement mechanism for the rule is that an operator of a coal ash site can be sued for not meeting the EPA’s new Federal regulatory standards. Those subject to this regulation whose responsibility it is for keeping the lights on for our electricity consumers are themselves left in the dark about how the EPA standards will be defined in court cases across the Nation. Instead of direct oversight, we will have lawsuits brought by those who want to shut down coal production.

Imagine building an addition to your house and there being no building permit process to go through with your

local government. Let’s just take this as an analogy. You want to build a house, but there is no building permit process to go through with the local government. You call the city or the county, and they say: Well, you should just read the rules, and if you violate the rules, know that you can be sued at any time by anyone who thinks that maybe you didn’t build that addition according to the law. This process would leave you without any sort of assurances that you actually built your addition in accordance with the law. Worse, you would have the threat of litigation hanging over your head. Does that make any sense?

Think about it. You build a house, a nice, beautiful house, in Phoenix, where it is nice and warm in the winter. You can’t get a building permit. You build that house according to your interpretation of the regulations, but anybody—it might be your neighbor; it might be somebody who comes down from the great State of North Dakota to enjoy your lovely winter—anybody may decide to sue you, and they would be able to do it. That is how the regulation of coal ash is set up. Come on. It makes no sense at all. That is how it has been done, and that is why we need to fix it.

Our amendment will directly address this problem by taking the best parts of our EPA rule—the standards for coal ash disposal—and incorporating all of them in EPA-approved State permit programs for both recycling and disposal. The States will have direct oversight over disposal sites’ design and operation, including inspections, air criteria, run-on and run-off control, closure and postclosure care, and financial assurance. Meanwhile, we offer State regulators the same flexibility for implementing the groundwater monitoring and corrective action standards that are currently provided under existing municipal solid waste and hazardous waste regulations, allowing State regulators to make tailored, site-specific adjustments.

We have been listening to the issues the EPA has brought up about our previous versions of this legislation. In fact, we changed the legislation to include a more traditional EPA application process for the State permit programs. If the EPA finds that a State permit program is deficient—

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. HOEVEN. Mr. President, I ask unanimous consent for 2 minutes to finish my remarks, with the indulgence of the Senator from Massachusetts.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. If the EPA finds a State permit program deficient, then the EPA can take direct control over the State’s permit program in that State. If a State doesn’t want to have its own permit program, the EPA runs the permit program for the State.

Mr. President, our amendment is about responsible regulation. It is

about certainty for recyclers and for the American public, who will know that State and Federal regulators are actually working with energy producers to ensure safe disposal of coal ash.

I urge my colleagues to support this commonsense, bipartisan approach by voting for the Hoeven-Manchin amendment.

I do have another amendment to speak on, but at this time, due to time constraints, I will defer to the Senator from Massachusetts, and I thank him for his courtesy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

REMEMBERING CHRISTA MCAULIFFE

Mr. MARKEY. Mr. President, I want to take a moment to acknowledge the life of Massachusetts' Christa McAuliffe. She lost her life, along with six other crewmembers, 30 years ago today when the space shuttle Challenger exploded. She was an extraordinary teacher and was selected out of a pool of 11,000 applicants to lead the ultimate field trip as the first teacher in space. Her legacy lives on in many ways but especially at the Christa McAuliffe Center for Education and Teaching Excellence at her alma mater, Framingham State University.

AMENDMENT NO. 2982

Mr. President, the omnibus spending bill that was enacted into law in December lifted the 40-year-old restriction on exporting U.S. oil overseas. During that debate, concerns were raised regarding the impact that exporting American oil abroad could have on U.S. consumers and refining fuel prices, independent refineries, and other sectors of the U.S. economy, such as shipbuilding.

However, the final language that became law did not include any requirement for analyzing and reporting on any potential impacts that exports could have on the industry or on U.S. consumers. The Markey amendment No. 2982 to the Energy bill would create such a review. The amendment would require the GAO to review and report back annually for 3 years on the impacts of crude oil exports on U.S. consumers, independent refineries, shipbuilders, and energy production.

The language of my amendment is language that is bipartisan. The language of my amendment is identical to language included in legislation sponsored by Chairman MURKOWSKI. It is also identical to language included in legislation introduced by other Senators.

Exporting American crude oil could be a disaster for independent refineries in regions such as the east coast. Upwards of 55 percent of our refining capacity on the east coast could potentially close as a result of oil exports.

The Energy Department has said that exports could lead to as much as \$9 billion less investment and 1.6 million barrels less refining capacity in 10 years. It could lead to up to \$200 billion

less revenue for the U.S. refining sector over the next decade.

It could raise prices for consumers, who are currently saving \$700 a year at the pump and \$500 a year on home heating oil this winter because of low prices.

It could harm U.S. shipbuilders. We have been having a shipbuilding renaissance in this country. We are currently seeing the biggest shipbuilding boom in 20 years, and it has been because of our increasing oil production and the Jones Act, which requires shipments between U.S. ports to be on U.S.-built, U.S.-flagged, and U.S.-crewed ships. This means that producing more oil is leading to investment in U.S.-built ships to move that oil around the country. Right now, U.S. shipbuilders have orders to expand our domestic tanker fleet capable of transporting crude oil by 40 percent. Each oil tanker can represent an investment of \$100 to \$200 million. Five years ago there were zero orders. Now one company alone in Pennsylvania—Aker ASA—has nearly \$1 billion in back orders and has tripled employment over the last 3 years.

Exports could stop all of this in its tracks, so that GAO report is very important. I also want to compliment Chairman MURKOWSKI and Ranking Member CANTWELL for their excellent work in partnering to produce the legislation which we are considering here on the floor. It represents bipartisanship in the way it is meant to operate.

Toward that goal, I have an amendment that I am going to speak to right now, which is one that Senator CASSIDY from Louisiana and I have introduced. It is an amendment to improve the way we are going to be selling oil from the Strategic Petroleum Reserve. Our Nation's oil stockpile is supposed to be there to protect American consumers and our security in the event of an emergency. We should not be using it as a piggy bank to pay for other priorities. But if we are going to sell oil from the Strategic Petroleum Reserve, we should at least make sure that we do so strategically, to get the best deal for taxpayers and American consumers. Last year, Senator CASSIDY and I offered a nearly identical amendment to the Transportation bill, which was adopted on the Senate floor and ultimately became law. That amendment protects taxpayers by improving the way the sales required under the bill—sales of oil from the Strategic Petroleum Reserve—are, in fact, conducted. The Cassidy-Markey fix gives the Secretary of Energy more flexibility to sell oil when prices are high and directs the Department to stop selling oil when the revenue targets required by the bill are reached.

This fix should allow us to sell fewer overall barrels from the Strategic Petroleum Reserve and get a better return on those sales. However, the roughly \$5 million worth of SPRO that was required to be sold as part of the Budget Act that passed in November did not include this commonsense fix.

The current Cassidy-Markey amendment that is pending to the Energy bill contains language virtually identical to the amendment to the Transportation bill that was adopted on the Senate floor. It would apply the same fix to the sales required by the Budget Act in order to protect taxpayers.

Too often our policy with respect to SPRO has been to buy high and sell low. Taxpayers have paid an inflation-adjusted average of roughly \$75 a barrel for the oil that is in our Nation's stockpile. We should ensure that we get the best return for our taxpayers in those SPRO sales. That is what our amendment would do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, did my colleague from Alaska wish to intervene for a moment?

Ms. MURKOWSKI. Just an inquiry, Mr. President, into how much time the Senator is seeking at this moment.

Mr. MERKLEY. Yes, 10 minutes.

Ms. MURKOWSKI. I also understand that Senator WHITEHOUSE wishes to speak to an amendment that is pending. Is that correct?

Mr. WHITEHOUSE. Mr. President, I only wish for a moment to speak in favor of the Crapo-Whitehouse amendment. I could do that for a minute or for 10 seconds later on. I don't need the time now. We can get to the vote as the chairman wishes.

Ms. MURKOWSKI. Thank you. I am trying to make sure that we are going to commence the vote beginning at noon. Thank you.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

OUR "WE THE PEOPLE" DEMOCRACY

Mr. MERKLEY. Mr. President, the most important words in the crafting of our Constitution are the first three words. Those words are "We the People." As President Lincoln so eloquently put it, this is the notion that we would create a system of governance that would be governance of the people, by the people, and for the people. I will be rising periodically to address issues that affect American citizens across our Nation, that are important, that are urgent, and that this body should be addressing.

This week I am using my "We the People" speech to highlight excerpts from an article written by NASA scientist Piers Sellers. Piers Sellers was an astronaut. He has been a NASA scientist, and he shared this article from which I am taking portions. He says:

I'm a climate scientist who has just been told I have Stage 4 pancreatic cancer.

He continues:

This diagnosis puts me in an interesting position. I've spent much of my professional life thinking about the science of climate change, which is best viewed through a multidecadal lens. At some level I was sure that, even at my present age of 60, I would live to see the most critical part of the problem, and its possible solutions, play out in my lifetime. Now that my personal horizon has been steeply foreshortened, I was forced

to decide how to spend my remaining time. Was continuing to think about climate change worth the bother?

He goes on to note that he examined his bucket list and he found only two things that really mattered: spending time with his family—as he put it, “with the people I know and love”—and then getting back to his office “as quickly as possible” to continue the work on climate science and addressing climate change.

He notes:

On the science side, there has been a steady accumulation of evidence from the last 15 years that climate change is real and that its trajectory could lead us to a very uncomfortable, if not dangerous, place. On the policy side, the just-concluded climate conference in Paris set a goal of holding the increase in global average temperature to 2 degrees Celsius . . . above preindustrial levels.

He continues:

It's doubtful that we'll hold the line at 2 degrees . . . but we need to give it our best shot. With scenarios that exceed that target, we are talking about enormous changes in global precipitation and temperature patterns, huge impacts on water and food security, and significant sea level rise.

He continues, saying that “Pope Francis and a think tank of retired military officers have drawn roughly the same conclusion . . . The worst impacts will be felt by the world's poorest.”

He continues to examine this and notes that while heavy lifting will have to be done by policymakers—and he is speaking to all of us—scientists can add a great deal, and scientists at NASA can help by keeping track of the changes in the Earth's system and using their powerful computer models to explore which approaches to addressing this problem are practical, trading off near-term impacts against longer term impacts.

He observes that engineers and industrialists must come up with new technologies to address the challenges of clean energy generation, storage, and distribution, and that they must be solved within a few decades.

Later in the article, he says:

History is replete with examples of us humans getting out of tight spots. The winners tend to be realistic, pragmatic, and flexible; the losers are often in denial of the threat.

He closes by saying this:

As for me, I have no complaints. I am very grateful for the experiences I have had on this planet. As an astronaut, I space-walked 220 miles above the Earth, floating alongside the International Space Station. I watched hurricanes cartwheel across the ocean, the Amazon snake its way through a sea of brilliant green carpeted forest, and gigantic nighttime thunderstorms flash and flare for hundreds of miles along the Ecuador. From this God's-eye-view, I saw how fragile and infinitely precious the Earth is, and I am hopeful for its future.

“And so,” he concludes, “I am going to work tomorrow.”

I simply want to thank Piers for his lifetime of commitment to science, his service as an astronaut, his continuing to work on this major challenge of ad-

ressing the planet, and that he would see—even in these days where he is fighting a battle against a forceful, powerful disease, he is dedicating his efforts to this challenge.

Is that not a call for all of us to see how important it is for us to dedicate our efforts to take on this challenge and to recognize, as he points out, that major strategies must be developed in a short period of time to avoid catastrophic consequences.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that following the disposition of the Crapo amendment, the Senate then vote on the Markey amendment with no second-degree amendments in order to the Markey amendment prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, now we are ready to dispose of a couple of amendments by voice vote.

AMENDMENT NO. 3017

I call for the regular order with respect to the Barrasso amendment No. 3017.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 3017, AS MODIFIED

Ms. MURKOWSKI. Mr. President, I send a modification to the desk for Barrasso amendment No. 3017.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At the end of subtitle G of title IV, add the following:

SEC. 46. CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) (as amended by section 4601) is amended by adding at the end the following:

“(h) CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.—

“(1) DEFINITIONS.—In this subsection:

“(A) BOARD.—The term ‘Board’ means the Carbon Dioxide Capture Technology Advisory Board established by paragraph (6).

“(B) DILUTE.—The term ‘dilute’ means a concentration of less than 1 percent by volume.

“(C) INTELLECTUAL PROPERTY.—The term ‘intellectual property’ means—

“(i) an invention that is patentable under title 35, United States Code; and

“(ii) any patent on an invention described in clause (i).

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy or designee, in consultation with the Board.

“(2) AUTHORITY.—Not later than 1 year after the date of enactment of this subsection, as part of the program carried out under this section, the Secretary shall establish and award competitive technology financial awards for carbon dioxide capture from media in which the concentration of carbon dioxide is dilute.

“(3) DUTIES.—In carrying out this subsection, the Secretary shall—

“(A) subject to paragraph (4), develop specific requirements for—

“(i) the competition process;

“(ii) minimum performance standards for qualifying projects; and

“(iii) monitoring and verification procedures for approved projects;

“(B) establish minimum levels for the capture of carbon dioxide from a dilute medium that are required to be achieved to qualify for a financial award described in subparagraph (C);

“(C) offer financial awards for—

“(i) a design for a promising capture technology;

“(ii) a successful bench-scale demonstration of a capture technology;

“(iii) a design for a technology described in clause (i) that will—

“(I) be operated on a demonstration scale; and

“(II) achieve significant reduction in the level of carbon dioxide; and

“(iv) an operational capture technology on a commercial scale that meets the minimum levels described in subparagraph (B); and

“(D) submit to Congress—

“(i) an annual report that describes the progress made by the Board and recipients of financial awards under this subsection in achieving the demonstration goals established under subparagraph (C); and

“(ii) not later than 1 year after the date of enactment of this subsection, a report on the adequacy of authorized funding levels in this subsection.

“(4) PUBLIC PARTICIPATION.—In carrying out paragraph (3)(A), the Board shall—

“(A) provide notice of and, for a period of at least 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in paragraph (3)(A); and

“(B) take into account public comments received in developing the final version of those requirements.

“(5) PEER REVIEW.—No financial awards may be provided under this subsection until the proposal for which the award is sought has been peer reviewed in accordance with such standards for peer review as are established by the Secretary.

“(6) CARBON DIOXIDE CAPTURE TECHNOLOGY ADVISORY BOARD.—

“(A) ESTABLISHMENT.—There is established an advisory board to be known as the ‘Carbon Dioxide Capture Technology Advisory Board’.

“(B) COMPOSITION.—The Board shall be composed of 9 members appointed by the President, who shall provide expertise in—

“(i) climate science;

“(ii) physics;

“(iii) chemistry;

“(iv) biology;

“(v) engineering;

“(vi) economics;

“(vii) business management; and

“(viii) such other disciplines as the Secretary determines to be necessary to achieve the purposes of this subsection.

“(C) TERM; VACANCIES.—

“(i) TERM.—A member of the Board shall serve for a term of 6 years.

“(ii) VACANCIES.—A vacancy on the Board—

“(I) shall not affect the powers of the Board; and

“(II) shall be filled in the same manner as the original appointment was made.

“(D) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

“(E) MEETINGS.—The Board shall meet at the call of the Chairperson.

“(F) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

“(G) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and

Vice Chairperson from among the members of the Board.

“(H) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule for each day during which the member is engaged in the actual performance of the duties of the Board.

“(I) DUTIES.—The Board shall advise the Secretary on carrying out the duties of the Secretary under this subsection.

“(7) INTELLECTUAL PROPERTY.—

“(A) IN GENERAL.—As a condition of receiving a financial award under this subsection, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

“(B) RESERVATION OF LICENSE.—The United States—

“(i) may reserve a nonexclusive, non-transferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subparagraph (A); but

“(ii) shall not, in the exercise of a license reserved under clause (i), publicly disclose proprietary information relating to the license.

“(C) TRANSFER OF TITLE.—Title to any intellectual property described in subparagraph (A) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

“(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$50,000,000, to remain available until expended.

“(9) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subsection shall terminate on December 31, 2026.”

Ms. MURKOWSKI. Mr. President, I know of no further debate on this amendment.

The PRESIDING OFFICER. Since there is no further debate, the question is on agreeing to amendment No. 3017, as modified.

The amendment (No. 3017), as modified, was agreed to.

AMENDMENT NO. 2968

Ms. MURKOWSKI. Mr. President, I call for the regular order with respect to the Shaheen amendment No. 2968.

The PRESIDING OFFICER. The amendment is now pending.

Ms. MURKOWSKI. Mr. President, I know of no further debate on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2968.

The amendment (No. 2968) was agreed to.

AMENDMENT NO. 3021

Ms. MURKOWSKI. Mr. President, I now ask unanimous consent that Senator CRAPO and Senator WHITEHOUSE each have 1 minute of debate prior to the vote on the Crapo amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Idaho.

Mr. CRAPO. Mr. President, in a few minutes we will vote on the adoption of the Nuclear Energy Innovation Capabilities Act, which we are seeking to add as an amendment to this impor-

tant Energy bill. This amendment will do a number of very critical things to help the United States increase and maintain and keep its lead in nuclear energy development globally.

It will establish a modeling and simulation program that aids in the development of new reactor technologies, establish a user facility for a versatile reactor-based fast neutron source, and establish a national innovation center to help share this vital information between the government and the private sector.

It will allow the NRC to apprise the Department of Energy of regulatory challenges early in the development process and would require a report by the NRC on the licensing of non-light water reactors. This bill is a strong signal to the rest of the world that we intend to maintain U.S. leadership in nuclear technology.

This bill will enable the private sector and national labs to work together to create even greater achievement in nuclear science than in the last century.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, as the lead Democratic cosponsor of Senator CRAPO's amendment, I want to commend and salute him for his leadership. Senators DURBIN and BOOKER and I have all joined from our side. Senator CRAPO, Senator RISCH, Senator HATCH, and Senator KIRK are on the Republican side. This is truly a bipartisan amendment. I hope it will get a strong and positive vote.

It is very important that America continue its innovation in the area of advanced nuclear technologies. They continue to confer immense promise. We are seeing the promise of American innovation realized overseas, for instance, where the first traveling wave technologies are being constructed in China, not here.

We need to make sure we continue our investment. We need to make sure we are doing good regulation so that innovation can proceed to the market. We hope this amendment will help move that forward.

Once again, Senator CRAPO has shown great leadership with this. I am pleased to support him.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3021.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER),

the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 4, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—87

Alexander	Ernst	Murray
Ayotte	Feinstein	Perdue
Baldwin	Fischer	Peters
Barrasso	Flake	Portman
Bennet	Franken	Reed
Blumenthal	Gardner	Reid
Blunt	Gillibrand	Risch
Booker	Graham	Roberts
Boozman	Grassley	Rounds
Brown	Hatch	Sasse
Burr	Heinrich	Schatz
Cantwell	Heitkamp	Schumer
Capito	Heller	Scott
Cardin	Hoeven	Sessions
Carper	Isakson	Shaheen
Casey	Johnson	Shelby
Cassidy	Kaine	Stabenow
Coats	King	Sullivan
Cochran	Kirk	Tester
Collins	Lankford	Thune
Coons	Leahy	Tillis
Corker	Manchin	Toomey
Cornyn	McCain	Udall
Cotton	McCaskill	Vitter
Crapo	McConnell	Warner
Daines	Menendez	Warren
Donnelly	Moran	Whitehouse
Durbin	Murkowski	Wicker
Enzi	Murphy	Wyden

NAYS—4

Hirono	Markey
Lee	Merkley

NOT VOTING—9

Boxer	Klobuchar	Paul
Cruz	Mikulski	Rubio
Inhofe	Nelson	Sanders

The amendment (No. 3021) was agreed to.

VOTE ON AMENDMENT NO. 2982

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 2982.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 29, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—62

Alexander	Feinstein	Murphy
Ayotte	Franken	Murray
Baldwin	Gillibrand	Peters
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Blunt	Hatch	Reid
Booker	Heinrich	Rounds
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Capito	Isakson	Shaheen
Cardin	Johnson	Stabenow
Carper	Kaine	Sullivan
Casey	King	Tester
Coats	Klobuchar	Udall
Cochran	Leahy	Vitter
Collins	Manchin	Warner
Coons	Markey	Warren
Cornyn	McCaskill	Whitehouse
Donnelly	Menendez	Wicker
Durbin	Merkley	Wyden
Ernst	Murkowski	

NAYS—29

Barrasso	Flake	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Sasse
Cassidy	Kirk	Scott
Corker	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	McCain	Thune
Daines	McConnell	Tillis
Enzi	Moran	Toomey
Fischer	Perdue	

NOT VOTING—9

Boxer	Inhofe	Paul
Cruz	Mikulski	Rubio
Gardner	Nelson	Sanders

The amendment (No. 2982) was agreed to.

The PRESIDING OFFICER. Under the previous order, the time until 1:45 p.m. will be equally divided between the managers or their designees.

The Senator from New Hampshire.

REMEMBERING THE CREWMEMBERS OF THE SPACE SHUTTLE "CHALLENGER"

Ms. AYOTTE. Madam President, today is the 30th anniversary of the tremendous loss of the Space Shuttle *Challenger* and of New Hampshire teacher in space Christa McAuliffe of Concord, NH.

Today I rise to honor the legacy of the *Challenger*. On this day 30 years ago, America was saddened by the tragic loss of seven brave crewmembers of the Space Shuttle *Challenger*: Commander Francis R. Scobee, Pilot Michael Smith, Mission Specialist Ellison S. Onizuka, Mission Specialist Ronald E. McNair, Mission Specialist Judith A. Resnik, Payload Specialist Gregory B. Jarvis, and, of course, our own New Hampshire teacher in space and payload specialist, S. Christa McAuliffe.

Each of the members of the *Challenger* crew conducted themselves with such bravery, heroism, and a desire to reach beyond and into the stars that it inspired me.

As a high school student, I remember where I was that day. We were all watching as the *Challenger* was lifting off into the stars. I was a student at Nashua High School and Christa McAuliffe inspired all of us. She captured the Nation's imagination as she looked to be the first teacher in space.

That tragic day touched the lives of every man, woman, and child in New Hampshire. It was one of those days in history when time stopped and every-

one remembers what they were doing at that moment. I know I certainly do. You see, Christa was a role model, someone who lived among us and was able to achieve extraordinary things. She inspired young people across New Hampshire and the Nation to "touch the future."

She was a gifted educator and had such an infectious enthusiasm for teaching. She taught social studies at Concord High School and was selected from 11,000 applicants to be the first teacher in space.

When asked about the mission on national television, she said: "If you're offered a seat on a rocket ship, don't ask what seat. Just get on." It really shows her dedication to teaching, her bravery, and her commitment to inspiring the next generation of leaders, scientists, dreamers, and explorers, all of whom have made our Nation great.

Today, the McAuliffe-Shepard Discovery Center in Concord, NH, is named in her honor. This state-of-the-art facility not only provides a lasting tribute to the courage and bravery of Christa McAuliffe and all of the members of the *Challenger* crew, but it also helps educate visitors about the contributions of these extraordinary New Hampshire citizens—not just Christa McAuliffe but other New Hampshire citizens who have braved and explored space. The McAuliffe planetarium is doing amazing work by showing the next generation of scientists and leaders how exciting it is to study science, technology, engineering, and mathematics. It is a tremendous legacy to Christa McAuliffe and all who have traveled in space and explored the edges of the universe on our behalf so we can learn more about ourselves and new developments.

President Ronald Reagan eloquently said that frightful day 30 years ago:

The crew of the Space Shuttle *Challenger* honored us by the manner in which they lived their lives. We will never forget them, nor the last time we saw them, this morning, as they prepared for their journey and waved goodbye and "slipped the surly bonds of earth" to "touch the face of God."

Today we remember and honor the legacy of a great Granite Stater and great American, Christa McAuliffe, and all of the brave crewmembers of the Space Shuttle *Challenger* that day because their legacy continues to live on in our children and in our continuous focus on improving in science, technology, mathematics, and our continuous reach for the stars.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to pay tribute to the great men and women of Nebraska who have served and are serving in the U.S. military.

Our State has a rich and powerful history of answering the call to serve. For nearly 150 years, we have witnessed this bravery in each of America's wars. Over the past decade, the men and women of Nebraska have risen to defend our precious freedom against Islamic terrorists, primarily in Iraq and Afghanistan.

This year marks the 15th anniversary of the horrific terrorist attacks in New York and Washington, DC. These events changed the lives of Nebraskans and our Nation forever. Nebraskans stepped up, ready to fight. Those serving in uniform, be it Active Duty, the National Guard or the Reserves, knew they would likely wind up on the battlefield at some point in the future.

Many other Nebraskans enlisted after high school. ROTC units in Nebraska had no problem filling their ranks, and applications for military academy nominations poured in at record numbers. We should all be so thankful to this generation for answering the call and standing up to defend freedom across the globe.

Today, I begin a new initiative to honor this generation of Nebraska's heroes on the Senate floor, and I will focus on those who lost their lives in combat. All of our fallen Nebraskans have a special story. According to the Nebraska Department of Veterans Affairs, there are 77 Nebraskans who lost their lives to combat-related incidents in Iraq and Afghanistan. Throughout this year and beyond, I intend to devote time on the Senate floor to remember each of these heroes. Telling their stories keeps their service and their sacrifice alive in our hearts, while reminding us of the principles they fought and died for.

Time after time, Nebraska's Gold Star families tell me the same thing. They hope and pray that the supreme sacrifices of their loved ones will always be remembered. It is my hope that these presentations will allow us to pause and reflect on these brave Nebraskans. The freedoms they secured are personified by the courage they embodied.

SPECIALIST JOSHUA A. FORD

Mr. President, today I wish to begin with SPC Josh Ford from Pender, NE. Joshua A. Ford was killed in Iraq on July 31, 2006. His parents, relatives, and high school classmates look back lovingly on the boy who quickly grew to be a courageous soldier.

As a young teenager, Josh was described as a couch potato who liked video games, painting, and watching horror movies, but deep inside there grew a strong desire to serve his country in military uniform.

He joined the Nebraska Army National Guard between his junior and senior year at Pender High School in

2003. That same year he began basic training at Fort Jackson. He was just 17 years old, and it was a tough transition.

His dad Lonnie remembers Josh talking about being placed in “fat man’s camp” at Fort Jackson. Josh was overweight by 35 pounds at the time. Lonnie and his wife Linda, along with classmates and friends, noticed how dramatically Josh had changed when he returned from basic training.

A year later, after graduating from Pender High School, Josh attended the Army’s heavy vehicle driver school at Fort Leonard Wood. He was assigned to the 189th Transportation Company, Detachment No. 1, in Wayne, NE.

A senior sergeant remembers that Josh “grew up from a kid to a soldier almost overnight.”

The 189th had just been recognized as a unit in April of 2003. Two years later, the 189th received orders to deploy to Iraq.

Following training at Fort Riley, the unit arrived at Tallil, Iraq, in October of 2005. For the next year they traveled over 2.5 million miles throughout the country. Specialist Ford became known as an energetic and reliable battle buddy. He was eager to tackle extra missions.

Josh came home on leave in April of 2006. He had a number of things on his mind. At the top of his list was his girlfriend Michelle, whom he proposed to that spring, and she happily accepted. He also kept things in order, leaving behind an audio will for his friends. According to Josh’s father Lonnie, “he just wanted everyone to celebrate his life after he was gone.”

Josh returned to Iraq with just 6 months to go in the deployment. In the early evening of July 31, 2006, the heat was unbearable but typical for a summer day in Iraq. Specialist Ford and his battle buddy, SPC Ben Marksmeier, were part of a 189th convoy that was driving through an area they had patrolled many times. Out of nowhere, an IED blast obliterated their vehicle. Unit members reached their truck immediately. Specialist Marksmeier was seriously injured, but Specialist Ford died at the scene.

Lonnie, Josh’s dad, will never forget the day he heard the knock at the door. Three members of the Nebraska Army National Guard had arrived at his home in Pender, and he knew before he opened the door why they had come. The next day, Lonnie and his wife Linda traveled over 250 miles to tell Josh’s grandmother and his three sisters of his death. One can only imagine the pain, sorrow, and agony they felt every step of the way.

SPC Josh Ford was buried in Pender, NE, on August 10, 2006. Pictures show the road from the church to the cemetery lined with people as the Patriot Guard veteran motorcycle group escorted Josh to his final resting place.

For his service to his country, SPC Josh Ford earned the Bronze Star, the Purple Heart, and the Combat Action

Badge. He was promoted posthumously to the rank of sergeant.

His father Lonnie later retired from teaching, and he joined the Patriot Guard. Today, Lonnie ensures those who served and died are never forgotten. He attends funerals and events with his fellow Patriot Guard riders all across Nebraska. Josh’s photo and his service information are proudly displayed on his rider’s vest.

He recalls Josh saying to him, when he was home on leave in April before his death:

Old man, I now understand why you were so tough on me while I was growing up. You only wanted me to become the best person I could possibly be.

During his limited time on Earth, Josh did just that.

Our Nation and all Nebraskans are forever indebted to his service and sacrifice. SGT Josh Ford was a hero, and I am honored to tell his story lest we forget his life and the freedom he fought to defend.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING THE CREWMEMBERS OF THE SPACE SHUTTLE “CHALLENGER”

Ms. WARREN. Mr. President, 30 years ago today millions of Americans gathered around their television sets in homes and classrooms all across the country to watch the Space Shuttle *Challenger* launch toward the stars. Seventy-three seconds later everything changed. We stared at our television sets, stunned and brokenhearted.

Today, on the 30th anniversary of that terrible tragedy, we remember the heroes we lost: Francis Scobee, Michael Smith, Ronald McNair, Ellison Onizuka, Judith Resnik, Gregory Jarvis; and we remember one more hero, the special person that so many little boys and girls tuned in that day to see, the very first U.S. civilian in space, Christa Corrigan McAuliffe.

Christa was born in Boston, MA, and grew up in nearby Framingham. She attended Marian High School and attended Framingham State University. She married her high school sweetheart, Steve. They had two children, Scott and Caroline. She eventually became a high school social studies teacher in Concord, NH.

In 1984, Ronald Reagan announced that NASA would send its first private citizen into space, and that person would be a teacher. A few months later, Christa beat out over 11,000 other applicants to become the first teacher in space. Christa was thrilled. It was like a dream come true. She reportedly told Johnny Carson: “If you’re offered a seat on a rocket ship, don’t ask what seat. Just get on.”

Mr. President, 30 years ago today Senator Ted Kennedy entered an excerpt of Christa McAuliffe’s NASA application into the public record, and I would like to reenter it for the RECORD and read it again today.

When asked why she wanted to be the first private citizen in space, Christa McAuliffe wrote:

I remember the excitement in my home when the first satellites were launched. My parents were amazed and I was caught up in their wonder. In school my classes would gather around the TV and try to follow the rocket as it seemed to jump all over the screen. I remember when Alan Shepard made his historic flight—not even an orbit—and I was thrilled. John Kennedy inspired me with his words about placing a man on the moon and I still remember a cloudy, rainy night driving through Pennsylvania and hearing the news that the astronauts had landed safely.

As a woman, I have been envious of those men who could participate in the space program and who were encouraged to excel in areas of math and science. I felt that women had indeed been left outside of one of the most exciting careers available. When Sally Ride and other women began to train as astronauts, I could look among my students and see ahead of them an ever-increasing list of opportunities.

I cannot join the space program and restart my life as an astronaut, but this opportunity to connect my abilities as an educator with my interests in history and space is a unique opportunity to fulfill my early fantasies. I watched the space age being born and I would like to participate.

Mr. President, Christa McAuliffe never made it into orbit on January 28, 1986. She never got the chance to write in her journal about what it was like inside the space shuttle, how it feels to float around, and all the other sorts of things that people who are not astronauts have wondered about. She never got to go back to her classroom to tell her children about her magnificent journey.

But Christa McAuliffe still teaches. Since 1994, the Christa McAuliffe Center at Framingham State University has provided truly remarkable, innovative, integrated STEM education resources to 12,000 Massachusetts students each year. Christa McAuliffe’s story of a little girl from Framingham who became a schoolteacher and got the chance to take the “ultimate field trip” into outer space keeps inspiring little boys and girls in Massachusetts and around the country, telling them all to reach for the stars.

Today, we remember Christa McAuliffe and the six others we lost on the Space Shuttle *Challenger*. We remember that day as our country stared at our television sets, stunned and brokenhearted. We honor their memory by continuing, as Christa McAuliffe said, “to touch the future,” to teach our children and our grandchildren “where we have been, where we are going, [and] why.”

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today to speak in support of the Stabenow-Peters amendment package that

will provide much needed assistance to Flint, MI. For decades Flint was known as the birthplace of General Motors and for playing a key role in the formation of the United Auto Workers.

Now national attention is trained on Flint not for its role in the creation of America's middle class but for the utter abandonment by the State government of a city where 40 percent of the population lives below the poverty line.

Nearly 2 years ago, an unelected emergency manager appointed by Michigan's Governor changed the city of Flint's water source to the Flint River in an attempt to save money while the city prepared to transition to a new regional water authority. The ultimate cost of this misguided, dangerous decision will not be known for decades.

After switching away from clean water sourced from the Detroit Water Authority, Flint residents began to receive improperly treated Flint River water, long known to be contaminated and potentially very corrosive. Water poured from Flint faucets and tasted and smelled terrible. It was discolored—brown or yellow in many cases. In fact, General Motors stopped using this water source for their Flint engine operations because the high chloride levels were corroding parts used during the manufacturing process.

The result of the State government decision was—and continues to be—catastrophic. Flint families were exposed to lead and other toxins that will have a lasting effect for generations.

The water crisis in Flint is an immense failure on the part of Michigan's State government to ensure the health and safety of the people of Flint and to provide the basic human right of clean water for drinking, bathing, and cooking. It is a failure that will cause Flint's children to suffer from the adverse health effects of lead exposure for years to come—a failure that has created the enormous challenge of fixing a water system that has had corrosive water flowing through its pipes for months.

Even after Flint has transitioned back to distributing water from Detroit that should be safe, unfortunately the potentially irreversible damage to the waterlines will still require the use of filters. This ongoing crisis has left the city of 100,000 people drinking bottled water donated from across the Nation.

In light of the State government's failure, I am disappointed State government still has not sufficiently stepped up to provide the necessary resources to deal with the short and long term effects of water contamination in Flint.

While the cause of this crisis and the ultimate responsibility to fix it lies with State government, we need to bring resources from all levels of government to bear to address this unprecedented emergency. Along with my Michigan colleagues Senator STABENOW

and Representative KILDEE, I have been working tirelessly to leverage all available resources for the people of Flint.

The effects of lead exposure on children are insidious, causing long-term developmental problems, nervous system damage, and decreased bone and muscle growth. There is no cure, but we can mitigate these problems with a commitment to delivering nutrition, education, health care, and other wrap-around services that a generation of Flint children now need more than ever.

My colleagues and I have requested that the U.S. Department of Agriculture allow existing programs to provide ready-to-feed infant formula that does not need to be mixed with water to all infants in Flint. We have urged the Department of Health and Human Services to make Head Start available for every eligible child in the city of Flint. We are working to make sure every Flint resident has access to affordable health care and are encouraging residents to purchase coverage through the open enrollment at healthcare.gov before the January 31 deadline or sign up for Medicaid if they are eligible.

I will continue to work with Congress, the administration, and leaders on the ground in Flint to secure any Federal support possible for Flint families and small businesses that have been harmed. As part of our efforts to support the people of Flint, Senator STABENOW and I are offering an amendment that will help begin the process to make Flint whole with substantial investments in fixing this problem in both the short and long term. Our amendment will assist the city of Flint in four ways.

First, the amendment would include my bill, the Improving Notification for Clean and Safe Drinking Water Act, or the INCASE Act, which would require the EPA to directly notify the public of dangerously high lead levels in drinking water if the local and State governments fail to do so within 15 days. The EPA repeatedly made recommendations to the State government, urging them to take steps to improve the water and protect the people. Unfortunately, the State of Michigan failed to take action and failed to properly notify Flint residents of the health risks in the water system for months. The primary responsibility for notifying residents lies with the State government, but when you have a situation like Flint where the State was sitting on critical information, there has to be another level of accountability.

Second, our amendment will authorize EPA to issue direct grants to the State of Michigan and the city of Flint to hire new personnel, provide technical assistance, and, most importantly, replace and repair water service lines—the only long-term solution. These aging service lines were certainly a concern before the crisis, but now there is an urgent need to repair and to replace them. For nearly 2 years

corrosive water flowed through the pipes leaching lead and other toxins. This provision will fund the repairs for the service lines that were severely and potentially permanently damaged as a result.

Third, our amendment includes a technical fix that will allow current Drinking Water State Revolving Funds to be used for loan forgiveness. This will provide upwards of \$20 million in relief to Flint and allow them to direct new funds for investment in water infrastructure and not interest payments. Earlier this year the EPA acknowledged that the State did not have the authority to forgive these loans. That is why this amendment includes a temporary technical fix to allow States to use the EPA's Drinking Water State Revolving Fund resources for loan forgiveness and debt relief on debt incurred before the current fiscal year.

Finally, our amendment will direct the U.S. Department of Health and Human Services to establish a Center Of Excellence on lead exposure in Flint, which will bring together local universities, hospitals, medical professionals, and the State and county public health departments in an effort to address the short and long-term health effects of lead exposure in the city.

Mr. President, it is important to remember that the children of Flint have been impacted the most by this crisis through no fault of their own. Whether in Flint or elsewhere in America, we have a responsibility to care for our children. We must repair the trust Flint residents have lost in the ability of government officials to protect them and to provide the most basic services.

I strongly urge my colleagues to join us in our effort to help Flint recover from this unnecessary manmade disaster. Standing up for children is not a Republican or a Democratic issue. I hope we all come together. This is common ground on which we can stand together and stand up for the people and the children of Flint.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise today to speak in support of a bipartisan amendment I have submitted with the senior Senator from California. It would enable Arizona, California, and other drought-stricken States to store more water in hydroelectric dams.

As everyone knows, water is a controversial issue in the West. Arizona and California have long been at odds on a number of water-related issues, particularly the very long-running Supreme Court case on the Colorado River. However, recognizing the importance of wisely managing water in the West is something on which we can all agree and look for ways to cooperate.

Today I am pleased to submit, along with Senator FEINSTEIN of California, one of these helpful management provisions to better use existing dams in our drought-stricken States. These dams

are critical to water management in the West. We have to store water, obviously, in dry times. The Western United States relies on dams to produce clean, renewable hydropower, to deliver drinking water to growing cities, and to irrigate fields. Because these dams are large and expensive and increasingly difficult to have built, it is imperative that we make the most of those we have already.

In a bill introduced last year, Senator FEINSTEIN included a pilot program to allow the updating of how flood control operations are conducted at many dams. This very helpful provision allows the use of modern forecasting tools and better records of hydrology to reevaluate the flood control operations in order to create additional water storage space. Increased storage space would allow more water to be kept behind the dams, allowing more hydropower to be produced exactly when it is needed. This amendment simply expands on Senator FEINSTEIN's proposal broadening the scope to all drought-stricken States—not just California—increasing the number of projects in the pilot program, and allowing more types of facilities to opt into this pilot program.

This is a commonsense amendment. It will help us make the most of the capacity we have to store water and to produce hydropower. I urge its adoption.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 2965

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to amendment No. 2965.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 37, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—55

Alexander	Feinstein	Nelson
Ayotte	Franken	Peters
Baldwin	Gillibrand	Portman
Bennet	Graham	Reed
Blumenthal	Heinrich	Reid
Blunt	Heitkamp	Risch
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Stabenow
Cardin	Leahy	Sullivan
Carper	Manchin	Tester
Casey	Markey	Udall
Cochran	McCaskill	Warner
Collins	Menendez	Warren
Coons	Merkley	Whitehouse
Crapo	Murkowski	Wyden
Donnelly	Murphy	
Durbin	Murray	

NAYS—37

Barrasso	Grassley	Roberts
Boozman	Hatch	Rounds
Burr	Heller	Sasse
Cassidy	Hoeben	Scott
Coats	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kirk	Thune
Cotton	Lankford	Tillis
Daines	Lee	Toomey
Enzi	McCain	Vitter
Ernst	McConnell	Wicker
Fischer	Moran	
Flake	Perdue	

NOT VOTING—8

Boxer	Inhofe	Rubio
Cruz	Mikulski	Sanders
Gardner	Paul	

The amendment (No. 2965) was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2452

Mr. MORAN. Mr. President, there are a lot of things that go on here in our Nation's capital, Washington, DC, that don't make sense to me. One of those things occurred about 10 days ago when the Obama administration announced it would pay \$1.7 billion to Iran in settlement of a financial dispute dating back to the days of the Shah of Iran. That \$1.7 billion was a payment to Iran for \$400 million that was held in escrow after the Shah's demise and fall from power, and the remaining \$1.3 billion was to pay interest on that \$400 million.

I think there are a number of reasons that this makes no sense. I will highlight the one that seems to me to be the least controversial or at least makes the most sense. We have American citizens who have claims against

Iran. There are actual judgments entered by a court of law which determines that the country of Iran owes money to American citizens. The number that I was told that they owe is nearly \$10 billion in judgments.

What makes no sense to me is that the Obama administration would agree to pay the Iranian Government \$1.7 billion without concurrently resolving the issues of what Iran should pay U.S. citizens. It makes no sense to me that we are not withholding the payment of that \$1.7 billion until Iran pays American citizens the judgment amounts owed to them for their country's terrorist attacks.

Why would we unilaterally pay Iran money that we may or may not owe them without resolving the issue of money that we know Iran owes to U.S. citizens? This makes no sense. We could at least have a broader conversation and discussion about this issue, although I don't know that it is necessary to go further with a discussion to reach the conclusion that the Obama administration should not be doing this. We could also have a conversation about whether this payment of \$1.7 billion is ransom money. Was it paid because Americans were released from Iranian captivity on the same day? As the largest supporter and funder of terrorism and terrorist activity around the globe, we should have a discussion about whether we should be giving Iran any money at all.

We know that part of the Iranian agreement related to nuclear weapons has the United States releasing money to Iran, and we know—in fact, administration officials have admitted to it—that we expect that money, in part, to be used to sponsor additional terrorist acts. Well, in addition to the flawed, mistaken agreement with Iran related to nuclear capabilities, we are now providing Iran with another \$1.7 billion to use as they see fit, presumably with the admitted ability to use that money to further terrorist acts around the globe, including against U.S. citizens.

We could discuss whether this is ransom or whether we should be giving any money to Iran. But on the surface, you don't need to go further than, in my view, what ought to be easily agreed upon, which is that no money should go to Iran until the claims of American citizens are paid by Iran.

I am on the Senate floor to highlight to my colleagues that I have introduced legislation exactly to that effect: no money to Iran until the claims are paid to U.S. citizens by Iran. I encourage my colleagues to consider this legislation and join me in its sponsorship. It is S. 2452.

I am grateful for the opportunity to bring this issue to the attention of the Senate—one more instance of something that makes no sense to me that could be resolved with a firm statement by the U.S. Congress: Mr. President, you can't pay Iran until Iran meets its obligations to pay what it owes U.S. citizens.

Mr. President, I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNACCOMPANIED MINORS ENTERING THE UNITED STATES

Mr. CORNYN. Mr. President, if this sounds like a case of *deja vu*, it is because we have been here before. I am talking specifically about the flow of unaccompanied minor children coming across our southwestern border, primarily through my State—the State of Texas—which shares a 1,200-mile common border with Mexico.

As the Presiding Officer knows, these children are coming not from Mexico but from Central America. This is a situation that about a year or so ago the President and his administration called a humanitarian crisis because we had this flow of unaccompanied children and some with their mothers, but mostly without, who came flooding across our border, and we were just simply struggling to keep up with them to deal with their safety, their health needs, and their security needs.

At that time we had a discussion about what we should do to protect these children to make sure they weren't victimized by human traffickers and other predators who might prey on their vulnerability when they get to the United States. Indeed, this morning, under the leadership of Chairman PORTMAN from Ohio, the Senate Permanent Subcommittee on Investigations held a hearing to explore a disturbing and tragic problem related to this flow of unaccompanied children coming across our Nation's southern border.

After these children are apprehended by the Border Patrol, they are placed in the hands of the Department of Health and Human Services to ensure they receive proper care. Many of these children are recovering from abuse, exploitation, exhaustion, exposure from this incredible trip they would make from their country in Central America through Mexico into the United States, many on the back of a train system known colloquially as The Beast. Many of us have seen pictures of this train with people on top of it, not necessarily inside of it, and falling off, being injured, people being assaulted. It is a terrible experience.

So many of these children come to the United States recovering from abuse and exploitation after traveling more than 1,000 miles. This is a very important point: These are not good people who are bringing them here. They are part of a transnational criminal organization—the cartels in Mexico, the gangs who help distribute drugs, traffic in human beings, help facilitate illegal immigration. This has

become a huge international business. If you ask almost anybody who has had any experience in this area, it is not like the old days when coyotes, as we call them in Texas and elsewhere, smuggled people across in onesies and twosies. These are people who smuggle a lot of people for the money they are able to generate. They, frankly, don't care about the individuals, but they do care about the money, and that is why they are in the business of smuggling these children from Central America across Mexico and into the United States.

Here is the immediate problem that Senator PORTMAN's Subcommittee on Investigations revealed: Because the U.S. Government—the Department of Health and Human Services—does not adequately vet the sponsors with whom these children are placed once they come into the United States—we know, for example, they admit these sponsors do not have to be American citizens. They don't even have to be family members. Shockingly, Health and Human Services is releasing many of these children to sponsors who have been convicted of serious crimes, including human trafficking, sexual exploitation, and violent offenses.

Instead of using commonsense procedures as we see in place, for example, in international adoptions, including extensive background checks, thorough interviews, and multiple home visits to make sure a child is being placed in a safe and secure situation, the placement process for these migrant children is riddled with loopholes for those who want to exploit it, and unfortunately there are evil people who want to exploit it and take advantage of these innocent children.

Some who may not have been following this issue may wonder: Why are we taking these children who are illegally entering the country and actually placing them with nonfamily member sponsors who haven't been vetted? The problem is that under current law, the Border Patrol cannot turn back people who enter the country illegally from noncontiguous countries. We can from Mexico, we can from Canada, but we can't if they come from a Central American country. So that is why they have to process them and get a placement for them as they issue a summons to them and say: You have a court date in front of an immigration judge in 3 months or 6 months or a year that is going to determine whether you have a legal basis upon which to stay in the United States.

Lo and behold, this should come as a surprise to no one. The vast majority of these people who illegally enter the country in this way never show up for their immigration hearing in front of a judge to determine whether they have a legal basis to stay. Indeed, because the Obama administration and ICE—Immigration and Customs Enforcement—that is responsible for enforcing our immigration laws—because they simply have quit enforcing our laws once

people enter the country, unless of course you have been arrested for some serious crime, this is actually a way to thread the needle and to beat the system and to succeed in illegally staying—immigrating and then staying in the United States.

Here again today I wish to focus on once these children are here, and I would think every person with a heart would want to say: Well, we have a responsibility to take care of them, at least until we can return them back home.

So I am grateful to the junior Senator from Ohio, Mr. PORTMAN, for dedicating his time and energy into investigating such an important issue. I commend him for his leadership in doing so in a bipartisan way. I think most of us can agree with the main point that he raised this morning, which is that the administration has a duty to ensure the safety of these children once they are in the country. I would hope all people of good will would agree, whether they have a legal duty or not, they have a moral obligation to make sure these children are safe and not place them, because of negligence or inadvertence or just recklessness, in the hands of people who will exploit them and abuse them.

The subcommittee also released an important report in conjunction with this morning's hearing after a months-long investigation. The report confirms that HHS placement policies are—surprise—wholly insufficient and fail to adequately screen sponsors. They know they have a problem. They just don't have the will to do anything about it.

This is unacceptable. This is unacceptable that Health and Human Services knows its own placement process does not even come close to foster care or international adoption standards. For the safety and protection of these children, the status quo cannot continue.

I hope somebody will ask the President of the United States about this, because when we tried to pass a piece of legislation called the HUMANE Act to deal explicitly with this issue to raise the screening standards for sponsors here in the United States for these unaccompanied children, the administration and the President of the United States opposed it, and this is what they get. This is what they get—certainly not what they deserve. This is something anybody could have predicted and indeed did predict at the time if we did nothing to address it.

So what these children need now, as Senator PORTMAN's report suggests, is certainly a more transparent process with robust oversight. That sounds kind of bureaucratic, but what we need is somebody who can make sure that no child is placed with somebody who is going to abuse them, exploit them or make their life a living hell while they are here. We also need to make sure they are given an opportunity to appear in front of an immigration judge because maybe they have some legal

basis upon which to claim a right to stay in the United States under current law—but maybe not—and maybe the proper recourse is for these children to be returned to their home country. We have had this experience before, where there is no enforcement of our immigration laws when people know they can penetrate our border and come here and successfully stay, even though they don't comply with the law. Our laws lose all deterrent value; in other words, where there is deterrence, people don't come in the first place because they realize the likelihood is that they will be unsuccessful. That is an important goal of law enforcement. It is not necessarily to deal with every case once it is on our doorstep, but actually we want to deter people from breaking the law in the first place. That is why enforcement is so important.

So I wanted to come to the floor and express my appreciation to Senator PORTMAN and his subcommittee for highlighting this issue but even more importantly to make sure that somehow, some way, somebody in the press, in the media is going to keep writing about this and exposing the facts. I hope we can reawaken the conscience of the Congress and the U.S. Government and say that this is simply unacceptable and we can work together to address it.

We must do more to protect these children who are vulnerable to exploitation. Back in November I joined the chairman of the Judiciary Committee in a letter to the Secretary of Homeland Security and Health and Human Services. This was in response to a whistleblower who indicated those Departments were releasing unaccompanied children to criminal sponsors, many with ties to sex trafficking and human smuggling enterprises.

Unfortunately, recent news reports have just reinforced how broken the system is. Earlier this week, the Washington Post published an in-depth account of several young Guatemalan children who were smuggled to a farm in Ohio to be used as slave labor after authorities released them from human traffickers. So these children from Guatemala went from being trafficked to being basically indentured servants for slave labor in Ohio. Instead of keeping them in protective custody in an HHS shelter or placing them in a suitable safe environment, these children were reportedly forced to live in roach-infested trailers and their lives were threatened if they attempted to escape.

This is a gut-wrenching story, but it is only one story. This Senator dares to say that the U.S. Government, Health and Human Services, and the Obama administration can't tell us how many other children have been exposed to such terrible abuse and mistreatment. We are now learning that these stories are not uncommon. Of course, given the process by which Health and Human Services and the administration place these children—not with

American citizens, not with even family members without vetting them—what else would be expected?

The Associated Press recently reported similar stories from across the country, including accounts of teens forced to work around the clock just to stay in a safe place to live. One young girl was reportedly locked inside her house, basically kept in a prison, and there are reports of some unaccompanied children who had been sexually assaulted by their sponsors.

With more than 95,000 unaccompanied children crossing our southern border illegally over the last 2 years, these reports likely only scratch the surface of the horrors these children are enduring. And it is not over. There are more coming every day. Indeed, we have seen that the peaks and valleys of the flow of unaccompanied children across the border are seasonal. As we get out of the winter and into the warmer months, we will continue to see these children flow across at higher levels than they are now. But there were 95,000 in the past 2 years.

This surge of children coming across our border has exposed our Nation's vulnerability to human smugglers and these transnational criminal organizations. It has shown that inadequate border security can contribute to a humanitarian crisis that endangers the lives of the children who are turned over by their parents to dangerous predators and smuggled into the United States.

Let's be clear on this point. Once these children arrive in the United States, our government has a duty to protect them and ensure they are no longer preyed upon by criminals and traffickers. But then we have a responsibility to make sure that if they can't legally stay in the United States because they have no valid claim to asylum or refugee status—our laws need to be enforced until those laws are changed by Congress.

The United States could see a new surge of these children pouring across our southern border in the coming months. In fact, I will predict here today that we will. We know from historical trends that these types of surges are not likely until the spring or summer months. We shouldn't just stand around here or sit on our hands and ignore this growing crisis.

There is a legislative response that I would recommend to my colleagues. I was proud to sponsor a piece of legislation last Congress called the Helping Unaccompanied Alien Minors and Alleviating National Emergency Act, or the HUMANE Act in short. This legislation would require all potential sponsors of unaccompanied children to undergo a rigorous biometric criminal history check. Let's check to make sure the government is not placing these kids with known criminals. There are records we could easily discover if we just bothered to check those records and to make sure we don't inadvertently place these chil-

dren in the hands of sex offenders or people who will merely traffic them to someone else.

Given the clear threat these children face and the anecdotes which I have described here and which are described in horrific fashion in Senator PORTMAN's report, it is irresponsible for us not to do something about this while we can. There is more we can do and should do to ensure that these children are treated safely and securely while they are with us. I believe the provisions of my legislation would be a good start. If anybody has a better idea, I am certainly willing to hear and work with them.

Before we see another humanitarian crisis of huge proportion of young children coming across our borders, I hope the Senate will take a look at the concerns exposed in the Permanent Subcommittee on Investigations report led by Senator PORTMAN.

I look forward to reintroducing the HUMANE Act soon as a way to at least in part begin the process of addressing this new humanitarian crisis in the making.

Mr. President, I see no one wishing to speak, so I yield the floor.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, this morning I discussed two amendments that I have submitted in regard to the current energy legislation, the Energy Policy Modernization Act of 2015.

I would like to talk about a third amendment that I submitted as well. The amendment actually follows legislation that I introduced earlier entitled the "empower States amendment."

Essentially what the "empower States" legislation does is it ensures that States retain the right to manage oil and gas production in their respective State. It gives them the ability to develop hydraulic fracturing rules and to respond first to any violation that might occur, rather than having a Federal one-size-fits-all approach. This is very important, because how we produce oil and gas in States such as North Dakota is very different than how we might produce oil and gas in a State like Louisiana, for example, or some other State. So States have to have the flexibility to respond to their industry to provide regulatory certainty and to empower that investment that will help us produce more energy and do it with good environmental stewardship.

This amendment also allows States to regulate oil and gas development on Bureau of Land Management lands if the State has laws and regulations in place to protect both public health and the environment.

As I said, it takes a States-first approach because individual States are the first and best responders to oil and gas issues. They know their land, their geology, their water resources, and they have a primary stake in protecting their environment and their citizens.

States such as North Dakota have been successful in developing oil and gas production with good environmental stewardship. Right now our State produces about 1.2 million barrels of oil a day, second only to the State of Texas.

With that growth in development, our industry has had to work very closely with the State of North Dakota on a whole gamut of issues that are vitally important—not only, as I said a minute ago, in terms of producing more energy but doing it with good environmental stewardship. So that is what this legislation is all about.

At the same time, this amendment provides a safety net that allows the Environmental Protection Agency, or the EPA, to step in if there is a danger to health or the environment. Again, it is about making sure that States have the primary role, but it still recognizes the EPA's role as well in terms of protecting the environment and good stewardship.

States would still be subject to the Safe Drinking Water Act and the Clean Water Act. These Federal laws have minimum standards for all States, and those minimum standards ensure consistent protection between and among the States for both the public and the environment.

Surface water is protected under the EPA's Clean Water Act surface water quality standards. Drinking water is protected by the Safe Drinking Water Act, which allows the EPA to act if a contaminant is present or likely will enter an underground drinking water source.

Hydraulic fracturing wastewater is regulated by the EPA's underground injection program, which is designated to the States to implement and enforce. That is what we are talking about, again—the State having the primary role in regulation of hydraulic fracturing.

The EPA requires a State to have a minimum requirement in terms of protecting underground injection from endangering drinking water sources. This concludes inspection, monitoring, recordkeeping, and reporting requirements. None of those requirements would change under this amendment.

Instead, this amendment gives the States and tribes more certainty about under what circumstances the EPA may withdraw or amend a State's regulation. Again, it is about making sure we have the regulatory certainty out there that actually empowers the very investment that helps us produce more energy and do it with good environmental stewardship. It ensures that if the EPA does decide to intervene, it must show that its action is necessary

and that the decision takes into account factors such as job loss and energy supplies.

It will help States retain the right to regulate hydraulic fracturing within their borders. That makes sense, as I say, because States are the first and best responders to oil and gas issues and have been successful in developing oil and gas production regulations.

It would also allow a State to regulate hydraulic fracturing on Federal lands, such as BLM lands, as I mentioned earlier. In addition, though, the amendment would prohibit new burdensome Federal rules if a State or tribe already has those rules in place.

Again, the effort here is to make sure that we are empowering States to work with their industry and then, in turn, empowering those industries, through regulatory certainty, to help develop our energy future in this country and do it with good, consistent, common-sense regulation that empowers the kind of investment that we want to see for job creation and economic growth.

Finally, the amendment allows for judicial review. It allows a State or tribe to seek redress for an agency's actions in a Federal court located within the State or the District of Columbia. Judicial review is very important in case there is a dispute in terms of what the EPA may require, what the State may require or what the industry feels is fair treatment.

In conclusion, the legislation recognizes that States have a long record of effectively regulating oil and gas development, including hydraulic fracturing, with good environmental stewardship. The measure works to ensure that the rules for hydraulic fracturing are certain, fair, effective, and environmentally sound. These are qualities we expect in good regulation.

As I said at the outset this morning in introducing a number of these amendments, to build the kind of energy plan for the future that we need we have to reduce the regulatory burden and at the same time empower the investment that will help us build the energy infrastructure we need to move energy safely and cost-effectively from where it is produced to where it is consumed in this country.

With that, I look forward to working with both the chairman of our Energy and Natural Resources Committee, who is bringing this legislation forward, and the ranking member in offering these amendments, voting on these and other amendments, and trying to get to the best product we can in terms of strengthening the energy plan for this country.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING SUSAN JORDAN

Mr. COATS. Mr. President, I come here during a sad time for Hoosiers. The beloved principal of Amy Beverland Elementary School in Lawrence Township, in the Indianapolis area, was seeing her students off after a day of school. A bus came around the corner to pick up the kids and accidentally lost control. The principal of Amy Beverland Elementary School, Susan Jordan, saw the bus coming, saw that it was going to hit the students, and put herself in front of them, and saved the lives of her young students. Two were injured seriously but will recover, but Principal Susan Jordan lost her life in doing this. The situation is still under investigation, but all elements and indications point to this as simply a tragic accident.

This story is not just one of tragedy, it is also one of heroism. As I said before, the bus struck her as Principal Jordan pushed several of her students out of harm's way. The principal, who came out of her office at school every day to help the students safely board the buses, lost her life in doing so. Those who knew her well—said that was not a surprising act. "It didn't surprise any of us Susan would sacrifice herself," said the district administrator for Lawrence Township. Shawn Smith, superintendent of the Lawrence Township schools, called Principal Jordan "a legend" and said that "we lost a great educator."

Susan Jordan served as principal of the school for 22 years. She was known for her cheery disposition and welcomed each classroom every morning.

The Gospel of John tells us that "greater love has no one than this: to lay down one's life for one's friends." The love that Susan Jordan had for her students should be an inspiration to us all.

We offer our deepest condolences to Principal Jordan's family and friends, to the students who were injured and their parents, and to all parents and students of the school. I know I join with all Hoosiers in mourning her loss and celebrating the life and impact of this talented, compassionate educator who paid the ultimate price for the students she loved so dearly.

WASTEFUL SPENDING

Mr. President, I rise to address something I have been doing on a weekly basis called "Waste of the Week." This is No. 31 of my visits down here to the floor to talk about the egregious waste, fraud, and abuse in spending by the Federal Government.

We hear so often that we just can't cut another penny, we just can't cut another dime out of this program because they have been subject to freezes or they have been subject to sequester, and, besides, we don't have the money to pay for it. Well, I have been highlighting small steps—because we haven't been able to achieve the big steps—small steps of ways that we can save taxpayer money and address Federal spending. So I have come down

every week, and put up the board "Waste of the Week," and this week deals with a situation, once again, where we don't need to be in a position to spend taxpayers' dollars on what was already being done.

The Amtrak Police Department and the Drug Enforcement Administration participate in a joint task force that works to interdict passengers who are trafficking contraband on Amtrak trains. Amtrak information is available to the Drug Enforcement Agency at no cost from the Amtrak Police Department—two agencies that are working together. But despite this agreement, the DEA wasted hundreds of thousands of taxpayer dollars paying just two Amtrak employees to do exactly what this task force was formed to do. So we have a task force of paid employees who are there for a specific purpose—providing information to DEA. The DEA says this is important information, but the task force also uses informants. These are people who work for Amtrak on the trains, and some of the information they provide is valuable.

According to an investigation by the Justice Department's inspector general, the DEA paid two Amtrak employees a total of—are you ready for this? Are you sitting down? Two paid Amtrak employees are getting a salary, they work for Amtrak, The DEA paid them a total of \$864,161 for information they have been providing to Amtrak and then giving to the DEA. The information probably was important, but over a period of 20 years, these payments went out to just two employees, this \$864,000-plus.

The IG's investigation concluded that when DEA officials sought approval to register these Amtrak employees as informants in the DEA's Confidential Source Program, the required documents did not indicate that these informants would be paid.

Let me stop for a minute and say that confidential sources are an important tool for our law enforcement agencies. Officials at the DEA actively use confidential informants to obtain information regarding drug trafficking or investigations. Some DEA officials have said they consider the information the confidential sources provide as the "bread and butter" of the agency.

My point today is not to question the use of confidential sources but to point out that Federal agencies like the DEA don't need to pay for information they already have access to. This is a waste of taxpayer dollars and poor stewardship of limited resources that fall in the category of "waste of the week."

Twenty years of the DEA paying for information that they were already supposed to receive at no cost without a second thought indicates a serious, systemic spending problem that spans multiple parties and Presidents. We must pull the plug on this type of waste. So today I add an additional \$864,161 to the taxpayer price tag for this already free information from Am-

trak employees. We continue to add more, our gauge continues to rise, and we now are well over \$130 billion of waste, fraud, and abuse.

So let no one come down to this floor and say we can't take a penny away from this program or come down to the floor and say we don't have the money to pay for things that we ought to do or to return to the taxpayer. I am trying to show that government can be run much more efficiently and effectively.

I applaud the inspectors general and others who are looking into this waste, but I want to bring to my colleagues' attention the fact that we have a lot of work to do, chipping away at this spending and waste and also looking at long-term, major financial fixes to our ever-careening plunge into debt and deficit.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that I be able to display for the Senate a model of the space shuttle.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that I be granted as much time as I might consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING THE CREWMEMBERS OF THE SPACE SHUTTLE "CHALLENGER", THE SPACE SHUTTLE "COLUMBIA", AND "APOLLO 1"

Mr. NELSON. Mr. President, 30 years ago today, it was very cold in Florida at the Kennedy Space Center. Both pads had been readied for the first time—a space shuttle on 39A and 39B—since the Space Shuttle *Columbia*, which was the 24th flight, was so late getting off the ground—indeed, for the better part of the month, from the first start and four scrubs starting December 19 but finally launching after the fifth try into a flawless 6-day mission on January 12, to return to Earth on January 18. In the meantime, on the other space shuttle launch pad, *Challenger*—the 25th flight—is being readied.

The night before the day of the launch, which is 30 years ago today, it was exceptionally cold in Florida. It got down to 25 degrees. Indeed, there were actually icicles hanging on the launch tower. As the crew arrived in the early morning hours—and there were holds all the way up until a little bit past 11 o'clock. At this point, the temperature had improved to 36 degrees. The icicles were still there, but it was above freezing. There was considerable consternation throughout the entire apparatus of NASA and its con-

tractors—particularly the top managers, as well as the managers of the company that made the solid rocket boosters—as to whether there should be a launch, and the go was given.

Seventy-three seconds high into the sky above Florida, *Challenger* disintegrated. To a nation that had come to think that climbing in the space shuttle was like getting in your car and taking a Sunday afternoon drive, indeed this was quite a shock because the entire technological prowess of the country 30 years ago was summed up in this magnificent flying machine that would go to orbit and would come back and would take 45,000 pounds of payload to orbit and would come back and land like an airplane, albeit without an engine. But that morning, it was to be different.

The only other astronauts we had lost were in getting ready for the Apollo program to go to the Moon. On the pad, in just a countdown test of the Apollo capsule—and the environment was an oxygen-rich environment. One of the three astronauts doing the practice countdown happened to kick a part of the spacecraft that had a wire that set an ignition, and in that oxygen-enriched environment, fire engulfed and claimed the lives of Gus Grissom, Ed White, and Roger Chafee.

All those years when we did not even know what was going to happen when we went into space—when we launched John Glenn on that Atlas rocket that we knew had a 20-percent chance of failure—we didn't know enough about the human body in zero gravity and at those speeds to know what was going to happen to the human body. In all those years of experimentation and going to the Moon many times—even on the ill-fated *Apollo 13* where we thought we had three dead men in the Apollo capsule when that explosion occurred en route to the Moon, and yet miraculously this space industry and NASA apparatus came together and figured out real-time how to get them back and get them back safely, a crew headed by Jim Lovell. But it was not to be on the morning of January 28, 1986.

I have a scale model of 1 to 100 of the space shuttle, and I want to explain what happened that morning. As *Challenger* launched, it went through its sequence where they had to throttle back on the main engines as they went through part of the atmosphere getting maximum dynamic pressure, and then those famous words that came back from the crew that they were acknowledging: Go at throttle up.

The three main engines ignited a burning in the tail of the space shuttle, fueled by liquid hydrogen and liquid oxygen contained in the external fuel tank. They throttled up to 100 percent, and it was straight up and accelerating.

Here is what happened at 73 seconds. The solid rocket boosters are attached by struts to the external tank, which does not hold their fuel. Their fuel is a

solid fuel. It has the consistency of the eraser on this pencil. Those ignite at T minus zero, each with about 3 million pounds of thrust. You definitely know you are going somewhere. But the cold weather had dealt us a devil's brew that day. These joints where they put together the solid rocket booster are sealed with a rubberized gasket, and those rubber O-rings, because of the cold weather, had gotten stiff and brittle to the point at which it just so happened that at a point close to the external tank, the hot gases of thrust, instead of coming out the nozzle in the tail of the solid rocket booster, are coming out because the joint is not sealed because of that rubberized O-ring that has now become stiff and brittle from the cold weather, and the hot gases burned into the external tank, and that caused the explosion that all of us remember. That was played over and over on our television screens. That was what was such a shock to the American people.

Those seven souls—led by Dick Scobee as the mission commander, a test pilot; and by Mike Smith, the pilot in NASA terminology, the copilot, a test pilot; Christa McAuliffe, the schoolteacher from New Hampshire; Greg Jarvis, a payload specialist; Judy Resnik, a mission specialist; Ron McNair, a mission specialist; and Ellison S. Onizuka, a mission specialist—those seven souls perished as all of the explosion fell miles and miles down to the surface waters of the ocean and eventually the debris on the floor of the ocean.

There is a dramatic presentation at the Kennedy Space Center in the Atlantis exhibit showing a part of the *Challenger*, and I would urge anybody who goes to the Kennedy Space Center to go and see that. It is a very moving exhibit. It is an exhibit about the crew. That exhibit is not only about the *Challenger*, which was 30 years ago, that exhibit is about the next space shuttle that we lost. That was some 16, 17 years later, and it was on February 1, 2003. It was the Space Shuttle *Columbia*, the one that had launched just previous to the *Challenger* and the one on which this Senator was privileged to be a part of the crew, but this time it was destroyed for a different reason. It had launched a couple of weeks earlier and everything was fine, or so we thought, but it was not to be. During the launch, the external fuel tank that was carrying the very cold liquid hydrogen and liquid oxygen—in order to keep that cold, it is surrounded with insulation—had part of its insulation break off. It is about the size of an insulated Styrofoam tub. It is about this big, and that small piece of insulation broke off right here as *Columbia* was on ascent. As it accelerated and the speeds became very high, that piece of foam fell with high velocity right at the leading edge of the left wing. That is a carbon-carbon fiber very light in weight but very resistant to heat. Upon reentry, the front engines of the wing and the

tip of the nose, all carbon-carbon fiber, get up to 3,000 degrees Fahrenheit. Of course everything was fine at that moment, even though there was a hole in the left leading edge of the wing during *Columbia*'s 8½-minute ascent into orbit.

When it was time to go home on February 1, this crew of seven was about to meet their fate. As they were doing their deorbit burn, falling through space for half an hour and encountering the upper reaches of the atmosphere, the hot gases got in the leading edge of the wing—the orbiter had separated and was flying more like an airplane on descent—and heated it up, causing *Columbia* to burn up upon reentry. As a result, debris fell for miles and miles high over Texas.

Rick Husband, the commander; Willie McCool, the pilot; Mike Anderson, payload commander; David Brown, mission specialist; Kalpana Chawla, mission specialist; Laurel Clark, mission specialist; and Ilan Ramon, payload specialist. As the test pilot and hero of the Israeli Air Force that led the strike on Saddam Hussein's nuclear plant outside of Baghdad, Ilan Ramon had been chosen to fly on the space shuttle.

I remember when I met with the former President of Israel, Shimon Peres, the day before the reentry. He knew of my background, and he said: I want you to see this telecommunication that I got from Ilan Ramon. It said: Mr. President, on behalf of the Israeli people, I want to thank you for giving me this opportunity. The fact that you and then President Clinton have enabled me to be able to start in this astronaut program and fly in this mission is just incredible.

President Peres shared how that was so meaningful to him only a few hours before *Columbia* did its deorbit burn and went into the pages of history.

So it is with a heavy heart that I come to the Senate floor on the 30th anniversary of the *Challenger* tragedy to pay tribute to the *Challenger* crew and also to the *Columbia* crew. It is solemn, but what they and the *Apollo 1* astronauts sacrificed—and what so many other astronauts in training have sacrificed through training mishaps—is not forgotten and it is not in vain because we are going to Mars.

It is not going to look like this because we learned our lesson. This was a fantastic flying machine, but it was an inherently risky design because the crew in the orbiter is on the same side as the stack of explosives, which resulted in two terrible tragedies that occurred. The new American rockets that will fly in September of 2017—in less than 2 years—to and from the International Space Station look like they have gone back to the old *Apollo* design, but, in fact, the new rockets have updated crew compartments in the spacecraft that will sit on the top of the rocket so that in the event of an explosion, even on the pad or all the way into orbit, you can save the lives of the crew by detaching the explosive

rockets from the spacecraft and getting them safely away from the explosion. It will save the crew either by landing under its own power or having parachutes that will let it down gently.

The fact is that by our nature we are explorers and adventurers, and we never want to give that up. It is a part of our DNA, it is a part of our character, and it is a part of our vision. We used to go westward as we developed this country into that new frontier. Now we will continue to go upward. We are going to Mars in the 2030s, and that is going to be a great day in that decade.

You will see us build on that in 2 years. Americans will have launches on new spacecrafts which will be on the top of rockets and in 3 years a full-up test of the largest rocket ever put together by mankind on the face of this planet, the space launch system and its spacecraft, *Orion*. It will have its first up test flight in 2018.

So in the memory of the *Challenger* crew, the *Columbia* crew, and the *Apollo 1* crew, we stand on their shoulders as we continue to explore the heavens. We thank them for their courage, their sacrifice, and their pioneering spirit. That is what I wanted to share on this 30th anniversary of the tragedy of the Space Shuttle *Challenger*.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I ask unanimous consent that following my remarks, Senator BROWN of Ohio be permitted to speak.

THE PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT DEBT CRISIS

Ms. BALDWIN. Mr. President, I come to the floor today because I think that higher education should be a path to prosperity, not a path to suffocating debt; however, today in America we have a student debt crisis that demands action from Washington because it is holding back an entire generation and creating an economic drag on the growth of our country.

Unfortunately, the Republican majority here in the Senate continues to ignore this crisis at a time when we really should be working across the party aisle to put in reforms that make college more affordable for students and their families who are struggling and in desperate need of action. That is why last week Senate Democrats officially launched our "In the Red" campaign in order to confront the student debt crisis and address college affordability.

Our legislative reform package includes three commonsense initiatives that deserve to be debated and deserve a vote. First, we are calling for action to address the significant loss in value of Pell grants by adjusting them for inflation; second, we are pushing to allow borrowers to refinance their existing student loans at lower rates; and third, we are making 2 years of community college or technical school free for students who are willing to work for it.

In his State of the Union Address—not the one he gave a couple of weeks ago but the one he gave last January in 2015—President Obama called on us here in Congress to make a bold investment in our Nation's students, in our Nation's workforce, and in the future of our economy by making 2 years of community college free.

In July, I answered that call and introduced legislation, the America's College Promise Act, aimed at providing students with a stronger and more affordable opportunity to gain the skills they need to compete, succeed, and prosper by making an investment in our workforce readiness, our economy, and our future. I am proud that this legislation is a pillar of the Senate Democrats' effort to reduce student debt in 2016 and to put our country on a path toward debt-free college. Learning from successes in States such as Tennessee and Oregon, the America's College Promise Act will create a new partnership between the Federal Government and States to help them waive resident tuition for 2 years of community or technical college programs for eligible students. This new partnership will provide a Federal match of \$3 for every \$1 invested by the State to waive community college tuition and fees for eligible students. With this legislation, a full-time community college student could save an average of around \$3,800 in tuition per year.

As cochair of the Senate's career and technical education caucus, I am especially proud that this reform takes a critical step to strengthen workforce readiness at a time when America needs to out educate and compete with the rest of the world in a 21st century skills-based economy. The idea that the next generation will be able to go further and do better than the last is at the heart of the American dream, and the solutions that we are offering today deserve a vote in this Congress.

It is my hope that our colleagues on the other side of the aisle will join us in confronting the student debt crisis and supporting these commonsense reforms that not only make higher education affordable but can help give more Americans a fair shot at pursuing their dreams.

I thank the Presiding Officer, and I yield back my time.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator BALDWIN, especially for her terrific work on higher education. She knows the value of higher education to the residents of Wisconsin, Louisiana, and Ohio.

I ask unanimous consent that after my remarks, the next speaker be Senator REED of Rhode Island.

The PRESIDING OFFICER. Without objection, it is so ordered.

EARNED INCOME TAX CREDIT AWARENESS DAY

Mr. BROWN. Mr. President, tomorrow is Earned Income Tax Credit Awareness Day—a day, as we approach the tax season, for getting the word out

about this tax credit that is a lifeline for working families.

The EITC provides an incentive to work. It puts thousands of dollars back into the pockets of low-wage and moderate-wage workers every year. President Reagan called it “the best anti-poverty measure to come out of Congress.”

The work that Senator REED and others and I did on the earned-income tax credit this year to permanently expand it was called by some organizations the most important anti-poverty initiative, except for the Affordable Care Act, in the last 20 years that Congress has done.

Last year 27 million American households—950,000 households just in my State alone, in Ohio—claimed the EITC and received an average refund of \$2,400. So for somebody making \$15,000 or \$20,000 or \$30,000 a year, when they file their taxes in February or March, they literally can get a check from the Federal Government, on average—I am not promising everybody specific amounts because each situation is different—on average, they will get a check for \$2,400.

One of the best things this body did last year was to permanently expand the earned-income tax credit, but there is still more we need to do. There is one glaring hole in the program we need to fix. Under current law—back up a little bit.

The earned-income tax credit was aimed primarily at families with children but not entirely. Under current law, workers without children, somebody making \$15,000 a year or somebody making \$11 an hour, making \$22,000, \$23,000 a year but having no children—no spouse, no children—those workers making minimum wage barely receive any earned-income tax credit. Childless workers under 25 don't qualify for these credits at all. That means that a young worker—somebody making \$9 or \$10 an hour without children—can actually be taxed deeper into poverty. Why is that? Well, if a worker is making \$9 an hour working full time—doing their best, not getting paid much—they are paying the payroll tax, the Social Security tax. The taxes they pay actually push them down below the poverty line. Why would we possibly in this country—we say in this body we value work. We say we care about people who are working hard and playing by the rules and we want them to get ahead, but then we fail to provide that earned-income tax credit and we tax them back below the poverty line. Why would we do that? Part of the reason is that last year when we were successful in expanding the earned-income tax credit permanently, there was resistance from some sort of ultraconservatives in this body—some tea party Republicans—there was resistance to expanding it to these workers who are working hard but don't have children. How are they going to plan families or plan for the future if they are always struggling paycheck to paycheck and get no help?

We need to do more to ensure that families who are currently eligible know about the EITC. Right now, even with the discussion—I appreciate the Presiding Officer from Louisiana and his interest in this. I know people in Louisiana, like people in Ohio—not everybody knows about it. One-fifth of families in this country who are eligible, who can claim the earned-income tax credit when they file their taxes, 20 percent of them don't know and don't file for it. That means those 20 percent are leaving about \$2,000 on the table that they could use to fix their car or pay off a payday loan, buy their kids shoes or maybe occasionally go out to a restaurant once a month and get a nice dinner.

With Federal tax filing season opening last week, we need to make sure that every American gets as much of her hard-earned money back into her pocket as possible; that every American gets as much of his hard-earned money back in his pocket as possible. We need to get the word out about tax credits that working families can claim and the services available to help them get their maximum refund. Filing taxes is complicated, and it can be particularly challenging for families claiming the earned-income tax credit, but getting help doesn't need to be expensive. Here is how.

One tool that is available is the IRS Free File Program. If you go to the irs.gov Web site or, if you live in Ohio, go to the brown.senate.gov Web site and type in your ZIP Code, the commercial partners of the IRS offer free brand-name software to individuals and to families with incomes of \$62,000 or less.

For families claiming the EITC, they can visit what is called the Voluntary Income Tax Assistance—the VITA site—the Voluntary Income Tax Assistance site. Go into brown.senate.gov if you live in Ohio or go to irs.gov, type in your ZIP Code, and you can see what VITA sites are available.

Someone just told me yesterday they entered their ZIP Code and found out that a VITA site—the Voluntary Income Tax Assistance site—was within walking distance from her home. Ohioans, as I said, can go to my Web site, brown.senate.gov, type in their ZIP Code, and they will find a map and the nearest site.

VITA sites are not only free, they are more reliable. The majority of EITC errors result from returns filed by paid tax preparers. All VITA volunteers are trained by an organization partnering with the IRS.

So if you make less than \$60,000 a year, you can go to one of these VITA sites, the Voluntary Income Tax Assistance sites, and you will find out—they will do your taxes with you for free, and they will find out if you are eligible for the earned-income tax credit. If you are eligible for the earned-income tax credit this year and you didn't file, it is possible you can claim your tax credit from calendar year or

tax year 2014 also. So you may get a \$3,000 credit this year—a check. You may get another \$2,000 for last year. It is money you earned. It is money you earned because you worked hard, you did your best, you maybe only made \$25,000 a year, but you are eligible for this tax credit.

Millionaires and billionaires and Members of Congress and people who are doing pretty well financially in life, most people like that have an army of lawyers and accountants and people who do their taxes for them, and they claim every possible tax credit, every possible tax deduction, every possible tax advantage they can get. People who fill out their own earned-income tax credit—their own taxes, if they are making \$20,000 or \$30,000 a year, don't have that sophistication and don't have the money to hire those lawyers and accountants, so oftentimes they are not getting every tax credit or every tax deduction they can get. That is why it is so important for people to visit these VITA sites and it is why it is so important that people have that opportunity.

We need to ensure that working families know about the resources available to help them claim their refunds, including the earned-income tax credit and the child tax credit—refunds that, I repeat, they have earned. We reward work. We give people a little help when they are working hard for low wages. We should raise the minimum wage. We should do some other things. We should push the Department of Labor to move a little faster on its overtime rule so people who are working more than 40 hours are getting time and a half that they have earned. As much as wages have been stagnant in this country, I want to see people who are working hard be able to get ahead and get every advantage they possibly can.

This body took a strong stand in December in support of an expanded permanent earned-income tax credit and a permanent child tax credit. I hope on EITC Awareness Day we will recommit ourselves to doing the same thing this year.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first let me commend Senator BROWN for his very thoughtful and articulate comments on the earned-income tax credit.

Mr. President, I am very glad that the Senate is taking up the issue of energy this week. The bill we are debating takes positive steps forward to encourage energy efficiency in Federal and commercial buildings, modernize the electric grid, and boost renewable sources of energy.

I am particularly pleased that provisions I have worked on, on a bipartisan basis with Senators COONS and COLLINS, to enhance the Weatherization Assistance Program and the State Energy Program are included. These provisions improve these programs that help low-income Americans reduce their energy bills by making their

homes more energy efficient, and many of these individuals are senior citizens who are day-by-day struggling on fixed incomes, trying to pay not just a heating bill but the grocery bill and many other bills. I have long championed these cost-effective programs that are helping families across my State and across the Nation to provide a warm and safe home while also increasing energy efficiency.

Indeed, weatherization to me is one of the most sensible steps. It is in some respects the low-hanging fruit. If we can reduce demand, then we can go a long way not only in terms of our energy situation but also our environmental situation.

We are here today because of the great work of the Chairwoman, Senator MURKOWSKI, and the Ranking Member, Senator CANTWELL. They have done an extraordinary job. I am not surprised, as they are extraordinary Members of this body. I want to personally thank them and commend them for what they have done not just in this effort but in many other efforts. Indeed, I have joined Senator CANTWELL as a cosponsor of her bill that goes so much further than the current bill on the Senate floor to modernize our current electrical infrastructure and promote greater use of domestic energy and renewable energy. I would like to extend my thanks and commendations to both Senators.

One area that I believe needs further focus as we move forward is the issue of energy storage. I am glad to be working with my colleague from Nevada, Senator HELLER, on amendments that support more efficient use of Federal funding for energy storage research at the Department of Energy and encourage energy storage usage in public utilities.

Advances in energy storage, advances in batteries—and sometimes it is the same thing—can help improve the reliability, resiliency, and flexibility of the grid as well as reduce the potential for future rate increases, saving us all money on our utility bills.

Senator HELLER and I have submitted two amendments that we hope will spur action in this area. One amendment would give the Secretary of Energy the ability to coordinate energy storage research and development projects among the existing programs at DOE to maximize the amount of funding that goes toward research and minimize administrative costs. We feel it does not have that flexibility at the moment.

I also joined Senator HELLER in offering another amendment, in which he is indeed the lead sponsor, which amends the Public Utility Regulatory Policies Act so industry and State regulators must consider energy storage when making their energy efficiency plans.

I also, in addition to these proposals, would like to use this opportunity to encourage greater attention to the financial impacts of climate change caused by energy consumption. It is

clear not only that the SEC needs to do more when it comes to critically reviewing disclosures being filed by publicly traded companies, but also that the SEC's disclosure industry guides for mining companies and oil and gas companies should be updated to reflect the growing risk of climate change to these companies and, in effect, to their shareholders.

That is why I am offering an additional amendment that directs the SEC to update these industry guides as well as to consider and incorporate appropriate suggestions from the United Nations Environment Programme Finance Initiative's report entitled "Climate Strategies and Metrics: Exploring Options for Institutional Investors," which was published in 2015.

These disclosures are important to institutional investors such as Allianz Global Investors, for example, which is a global diversified active investment manager with \$477 billion in assets under management, which has specifically called for "achieving better disclosure of the effects of carbon costs on the oil and gas companies." What we are trying to do is respond to the growing demand of investors and shareholders so they can make better judgments about their investments.

It is also important for us to continue to invest in our energy infrastructure and support cutting-edge technological advancements while effectively monitoring the effects of our energy consumption on our economy and our environment. One way of doing this is once again to have assurances that investors have the knowledge they need to make wise decisions about their investments.

All told, this is very responsible and appropriate legislation. We can make improvements. I hope the amendments I have proposed, along with Senator HELLER, can get favorable consideration as we move forward.

Once again, let me thank Senators MURKOWSKI and CANTWELL for extraordinary leadership.

With that, Mr. President, I yield the floor.

Mr. DAINES. Mr. President, modernizing our Nation's energy policy is vital to protecting our national security. The bill that we are discussing today advances our Nation's energy independence and provides for new measures to defend our critical infrastructure. Specifically, cyber threats challenge the security of our Nation and the integrity of our energy infrastructure. This bill will formally introduce the foundational principles of cyber security into our Nation's energy security calculus.

However, challenging the Department of Energy to enhance the cyber security of our Nation's electric grid is not enough if the Department of Energy does not have the requisite cyber experts to fulfill the mission. The amendment I submitted today, amendment 3119, will address the gap between the Department of Energy's mission to

keep our Nation's energy infrastructure safe from cyber attacks and the Department of Energy's ability to actually do it.

Currently, the bill provides for a 21st Century Energy Workforce Advisory Board composed of nine members. The purpose of this board is to anticipate the needs of the future energy workforce. While the bill requires that the board members be representative of disciplines such as labor organizations, education, and minority parties, nowhere does the bill require that a single member of the board have any background on cyber.

My amendment requires the membership of the 21st Century Energy Workforce Advisory Board to include representation from the cyber security discipline. This amendment better positions the advisory board to integrate cyber security into the energy sector's workforce development strategy for the 21st Century and ultimately provides a mechanism to bring cyber security expertise to the energy sector.

Hardening the electric grid and the Nation's energy supply chains against cyber security threats is a critical component to protecting our national energy infrastructure. This amendment lays the foundation to ensure that the Department of Energy has the right cyber security experts to defend these vital national security assets.

I urge my colleagues to join me in supporting this important amendment.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMBASSADOR NOMINATIONS TO NORWAY AND SWEDEN

Ms. KLOBUCHAR. Mr. President, I came to the Senate floor earlier this month to talk about the importance of moving forward on the nominations of the Ambassadors to two important allies to the United States of America, and that is Norway and Sweden. These are countries that have been our true friends through many wars. They have been our true friends economically—some of the top investors in America—and they have been countries that are good examples of democracy and good examples of countries that believe in human rights. Yet we have not been able to confirm an ambassador to either country.

I do want to, first of all, say that in the case of Sweden, it has been 462 days since the President nominated Azita Raji to be Ambassador, and in the case of Norway, it has been 853 days since that country has had a U.S. Ambassador. I will get to those details. In this case, the nominee is Sam Heins from the State of Minnesota, where, by the way, we have over 1 million people

of Scandinavian descent—1.5 million people who do not understand why every major nation in Europe has an ambassador but not these two Scandinavian countries.

I thank Senator McCONNELL, the majority leader, and Senator REID for their work in trying to advance these nominees to the floor. They have negotiated. Senator CORKER and Senator CARDIN are both supportive of these nominees.

I think it is important to note that this is not a typical story of delay. These nominees went through the committee without any objection. They were not controversial, nor are they controversial today. It is a fact that Senator CRUZ has some issues that are completely unrelated to these nominees but also completely unrelated to Norway and Sweden. The issue is that while Senators do from time to time put temporary holds on nominees, this has gone on too long, and I am hopeful—in an article today in the Minneapolis Star Tribune about irked Scandinavians in our State, Senator CRUZ's staff has said that they are engaged in good-faith discussions with other Senators and have made clear there have been no issues raised with these particular nominees in this story. I think that is very important, and we hope we are going to move forward.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Minneapolis Star Tribune.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Star Tribune, Jan. 27, 2016]

MINNESOTAN SCANDINAVIANS IRKED AS TED CRUZ BLOCKS AMBASSADOR NOMINEES (By Allison Sherry)

NORWAY HAS BEEN WITHOUT AN AMBASSADOR FOR MORE THAN 800 DAYS AND SWEDEN TOPS 400 DAYS WITHOUT A U.S. REPRESENTATIVE

WASHINGTON.—Presidential hopeful Sen. Ted Cruz is blocking a vote in the U.S. Senate to confirm the Norwegian and Swedish ambassador nominations.

The move by the Texas Republican has angered some members of Minnesota's sizable Scandinavian communities, as Norway has been without an ambassador for more than 800 days and Sweden tops 400 days without a U.S. representative.

Staffers from Cruz's office didn't say anything negative about the people appointed by President Obama to the posts, including Norway ambassador nominee Sam Heins from Minnesota. Cruz has continued to block the nominees as he has worked to build support for another initiative that is putting him at odds with the White House.

Cruz, who is critical of the Chinese government, has lobbied his Senate colleagues to rename a street in Washington, D.C., after a polarizing Chinese dissident—an idea that has been thwarted by fears of crippling diplomatic efforts between the two countries.

"Senator Cruz remains engaged in good-faith discussions with his colleagues regarding the holds he announced because of his serious concerns about the Obama administration's foreign policy," said Cruz spokesman Phil Novack.

The White House renewed its calls for a swift vote on the ambassador nominees.

"The president has nominated two unquestionably qualified individuals to be the U.S. ambassadors to Sweden and Norway," said White House press secretary Eric Schultz. "We urge the Senate to act."

Minnesotans closely watching the issue are angered by the delay, saying it is souring relations with two staunch U.S. allies.

"There's a crisis in a relationship between our two countries," said Bruce Karstadt, president and CEO of the Minneapolis-based American Swedish Institute. "I don't really quite understand that any statement is being made other than we're ignoring you."

Cruz's office says he remains in negotiations about lifting the procedural blocks on the nominations, citing a July 2015 letter to the Obama administration outlining concerns about the Iran nuclear deal as one of the reasons he is objecting to political appointments.

Since that letter, though, two political appointments—state appointees to Barbados and the U.N. Economic Council—have passed the Senate without Cruz's hold.

Temporary holds are relatively common and are also used by Democrats to protest administration policy. Earlier this week, for example, Massachusetts Democratic Sen. Edward Markey placed a hold on Obama's nominee to head the Food and Drug Administration unless the administration agrees to reform its process for approving painkiller medications.

Cruz's protests delaying votes on the Scandinavian ambassador nominations irks Democratic U.S. Sen. Amy Klobuchar, who points out that Minnesota is home to the second-largest number of Norwegians in the world, outside of Norway. The two nominees passed through the GOP-controlled Senate Foreign Relations Committee, so Klobuchar wants a vote on the Senate floor even if Cruz votes against them.

Klobuchar points out the business relationships between the countries and that Norway and Sweden have shouldered much of the burden of the European refugee crisis in recent years. "It's no way to treat your friends," she said. "The point is all these other European nations have ambassadors. Why would you put a hold on two of our best allies from having ambassadors?"

Democratic U.S. Sen. Al Franken said he also would increase pressure for a vote. "We need to move on ambassador openings for both Norway—where there's a highly qualified Minnesota nominee who has yet to be confirmed—and Sweden," Franken said. "I'm going to continue pressing to get these positions filled."

Norway and Sweden are two of the largest investors in the U.S. economy. Norway is invested in more than 2,100 American companies, which amounts to about \$175 billion. It also has about \$94 billion in U.S. bonds and \$5 billion worth of U.S. real estate. Meanwhile, the U.S. exports \$9 billion in goods and services to Sweden, a country that supports about 330,000 American jobs annually, embassy officials said.

Leif Trana, a minister counselor at the Norwegian Embassy in Washington, pointed out that his country just committed to 52 fighter jets from Lockheed Martin—all of them made at a Lockheed plant in Cruz's home state of Texas.

"Norwegians have long had a great affinity for the United States," Trana said. "After the E.U., this is our place where most Norwegians both travel to [and] study."

The Norwegian post has been a beleaguered one for years.

President Obama first nominated businessman George Tsunis, a New York contributor who had raised more than \$1 million in campaign cash for him. Tsunis quickly proved unqualified for the job. During an appearance before the Senate Foreign Relations

Committee, Tsunis referred to Norway's prime minister as "president" and could not identify potential U.S. trade opportunities with Norway. One member of the Norwegian parliament was so offended by Tsunis that he demanded an apology from Obama.

Minnesota's delegation, led by the Democrats, urged Obama to withdraw the nomination. He did, and in May 2015 he nominated Heins, a Minnesota lawyer and human rights advocate. Heins, too, was a major contributor and bundler for the president's election campaigns.

For the Sweden post, Obama nominated Azita Raji, an Iranian-born former Wall Street executive. Her nomination has been mostly uncontroversial and passed out of the Senate Foreign Relations Committee last summer.

Jon Pederson, board chairman of the Minneapolis-based Norway House, said it's shameful to play politics with the ambassador posts.

"This position is important," Pederson said. "Left unfilled like this is a slap in the face to Norway."

Ms. KLOBUCHAR. There are just a few quotes from people who are not in politics at all.

"There's a crisis in a relationship between our two countries," said Bruce Karstadt, president and CEO of the Minneapolis-based American Swedish Institute. "I don't really quite understand that any statement is being made other than we're ignoring you."

I will give another example. Leif Trana, a Minister Counselor at the Norwegian Embassy in Washington, pointed out that his country just committed to 52 fighter jets. I believe each one is over \$200 million. Norway is purchasing these jets from Lockheed Martin, a U.S. company, and all of them are going to be made in a Lockheed Martin plant in the State of Texas. Imagine how many jobs this provides and that we would consider not sending an ambassador to a country that not only sees us as an ally—and is allied, by the way, in our issues we have in our conflict with Russia.

The Minister Counselor at the Norwegian Embassy goes on to say:

Norwegians have long had a great affinity for the United States. After the E.U., this is our place where most Norwegians travel to and study.

This is the last quote I will give you from this article today:

Jon Pederson, board chairman of the Minneapolis-based Norway House, said it's shameful to play politics with the ambassador posts. "This position is important," Pederson said. "Left unfilled like this is a slap in the face to Norway."

Let's go through what has been going on—853 days in the case of Norway. The first nominee who was nominated, as explained in this article, did not go well. There were issues on both sides of the aisle. That person withdrew his name. That is part of the delay, and we will acknowledge that, but a big chunk of the recent delay is because there has been a hold—not at the committee level—that went through quickly with Senator CORKER and Senator CARDIN's guidance—but on the floor. In the case of Sweden, it has been a delay of 462 days for a noncontroversial nominee. At the same time, in the last few

months, Ambassadors have been confirmed for 38 countries. Two of those were actually political appointees. They were not career, as the rumor is; two were considered political appointees. Barbados, Ecuador, Poland, and Thailand all have Ambassadors. There is an ambassador from the United States in France, of course. There is an ambassador in England, of course. There is an ambassador in Italy. There is an ambassador in Germany. There is an ambassador in Bulgaria but not in Sweden and Norway. We, in fact, have an ambassador in nearly every European nation but not in these two Scandinavian countries.

There have been no questions about the qualifications of these two nominees. I will put those qualification on the record, but I wanted to focus more on the actual countries, Norway and Sweden. They are incredibly important allies and trading partners. They deserve to be treated like other European nations. They deserve to have an ambassador from the United States of America, and it is time to get this done.

Diplomatic relations between the United States, Norway, and Sweden are almost 200 years old. For 200 years we have had Ambassadors in these countries. Holding a vote to confirm front-line Ambassadors hostage is not in the best interest of our country.

Let's start with Norway. Norway was a founding member of the NATO alliance, and its military has participated in operations with the United States in the Balkans and in Afghanistan. Norwegians work alongside Americans in standing up to Russia's provocations in Ukraine, in countering ISIS and the spread of violent extremism, and in strengthening regional cooperation in the Arctic. Norway has been especially strong on working to check Russian aggression against Ukraine.

Norway has also played an important role in the Syrian refugee crisis. Norway has a proud history of providing support to those fleeing conflict. It expects to take in as many as 25,000 refugees this year. It has already provided more than \$6 million to Greece to help respond to the influx of refugees seeking a way to enter Europe.

All of us on both sides of the aisle have talked about the importance of a strong Europe during these trying times. Yet now we have no Ambassadors in two of the countries that are on the frontlines of combatting extremism and addressing the refugee crisis.

Sweden, like Norway, plays an important role in national security and on the international stage. Sweden is a strong partner and close friend of the United States, helping in our fight against ISIS, promoting democracy and human rights, and cooperating on global initiatives related to clean energy and the environment.

Sweden is a partner in NATO and is an active global leader, from its long-term investment in Afghanistan, to its role as an international peacemaker.

Sweden has supported Ukraine against Russian aggression, has made significant contributions in Afghanistan, and has aided in the fight against terrorism in Syria, Iraq, Kosovo, and the current fight against ISIS.

Sweden is a member of the counter-ISIL coalition and is on the frontlines of the Syrian refugee crisis. More than 1,200 refugees seek asylum in Sweden every day, and Sweden accepts more refugees per capita than any other country in the EU. That is what is happening right now. They are accepting more refugees per capita than any other country in the EU. Yet we don't have an ambassador to that country. We have an ambassador to Germany. We certainly know they are playing a role in this refugee crisis. We have an ambassador, of course, to Greece. But we don't have an ambassador to this country.

The United States has collaborated with Sweden to strengthen human rights, democracy, and freedom in countries emerging from oppressive and autocratic regimes. Sweden's commitment to promoting human democracy, human rights, gender equality, and international development and sustainability make it a respected leader in international affairs.

Now let's look at economic partnerships.

I do hope my colleagues on the other side of the aisle who have all been very supportive of this will talk to Senator CRUZ the next time they see him. I plan on asking for unanimous consent to get these nominees through repeatedly in the next month. I am hoping Senator CRUZ will be here to explain this, and I am hoping we can find some agreement on this because, again, this is not a typical case where these nominees have been criticized or questioned, including by his own office. This is a case of simply some other issues that are not related to the nominees or to the countries, and these countries should not be held hostage.

Norway is an important economic partner. According to the American Chamber of Commerce, Norway represented the fifth fastest growing source of foreign direct investment in the United States between 2009 and 2013. Of course, visiting Senator HOEVEN's and Senator HEITKAMP's State of North Dakota, I have seen the investments in oil and in drilling in North Dakota from the Scandinavian countries because of their history in that industry.

Norway is the 12th largest source of foreign direct investment in the United States. Think about that. There are over 300 American companies with a presence in Norway, including 3M of Minnesota, Eli Lilly, General Electric, IBM, McDonald's, and others. By not having an ambassador to Norway, we are sending a message to some of the top investors in our own country. The Ambassadors in these countries, as we know, are our trading partners and help businesses in America do business

in that country. While there are national security issues, there is also an economic purpose of having an ambassador.

In October, Norway reiterated its commitment to invest in American businesses by purchasing an additional 22 F-35s from Lockheed Martin. That is a total of 52 fighter jets Norway is committing to buy from Lockheed Martin. The first will arrive in 2018. This is the biggest investment Norway has ever made in the country's history, and they are investing in a company in our country, in the State of Texas. These are warplanes that will be built at Lockheed's facility in Fort Worth. I called attention to this fact. I know it is a cost of almost \$200 million per plane. This country is investing in American jobs—\$200 million per plane—and they are buying 22 more. You can do the math.

Lockheed Martin and other American companies that do business with Norway would like to see an ambassador there to help facilitate relations.

Now let's get to Sweden. Sweden, like Norway, is also one of the biggest investors in the United States. Sweden is actually the 11th largest direct investor in the United States, while Norway is 12th. I would think some people might be surprised by that fact that these two Scandinavian countries are that high on the list when you look in the world, but, in fact, it is true. They are the 11th and 12th investors in the United States. Sweden's foreign direct investment in the U.S. amounts to roughly \$56 billion and creates nearly 330,700 U.S. jobs.

U.S. companies are the most represented foreign companies in Sweden. Swedish-Americans have contributed to the fabric of our great Nation and built successful companies such as Walgreens, Greyhound, and Nordstrom.

Economically, Sweden is highly dependent upon exports and is one of the most internationally integrated economies in the world. The United States is Sweden's fourth largest export market, with Swedish exports valued at an estimated \$10.2 billion. Now, does this sound like a country where we just decide we are not going to have an ambassador, yet we give ambassadors to all these other nations all across the world? That just doesn't seem right.

Sweden is a significant export market for my State of Minnesota, with \$131.5 million in sales through November of last year. Sweden, like Norway, deserves to have an ambassador.

Speaking of the Minnesota ties here, the economic and cultural influence of Norway and Sweden is strongly felt throughout the United States. I will say that Minnesota has a special one. In fact, one of the most notable attractions in Madison, MN, is a giant 25-foot-long fiberglass cod named "Mr. Lou T. Fisk." That is a little Scandinavian joke here late in the afternoon. That is a lutefisk—"Mr. Lou T. Fisk." Anyone from Norway or Sweden knows that lutefisk is a traditional Nor-

wegian food. Madison, MN, is so proud of its Nordic heritage that they once took Lou, the giant fish, on a national tour in the back of a truck. That was many, many years ago, but the fiberglass cod—the largest fiberglass cod in the world—is still displayed in our State.

We have about 100,000 people of Norwegian heritage in Minnesota, second only to Norway itself. We have 500,000 Swedish Minnesotans. Think of how many. That is a good chunk of our population. So we are very proud of our Nordic heritage.

That is my State. I think you could go around any State in the United States and there you would find proud Norwegians and Swedes. They may not always be the loudest voices, and maybe that is part of the problem. Maybe they have been too nice. But I can tell you that these two countries are the 11th and 12th biggest investors in the United States of America. One of them has been willing to buy 52 fighter planes valued at nearly \$200 million each from our Nation.

They certainly deserve an ambassador. They have been very clear to me—the representatives of these companies—that they would like to see an ambassador. At some point this looks like a "dis" from our Nation—that we are "dissing" them because we allow every other Nation to have an ambassador.

We look forward to working with Senator CRUZ. Again, I thank Senator MCCONNELL and Senator CORKER for their support. We haven't seen any other concerns that people have that have not been taken care of. So I am hopeful we can get Sam Heins and Azita Raji immediately confirmed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3029, 2984, 3001, 3063, 3020, AND 3067 TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, we are now ready to process a handful of amendments with a series of voice votes.

I ask unanimous consent that the following amendments be called up and reported by number: Barrasso amendment No. 3029; Baldwin amendment No. 2984; Wyden amendment No. 3001; Capito amendment No. 3063; Daines amendment No. 3020; and Hirono amendment No. 3067.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for others, proposes amendments

numbered 3029, 2984, 3001, 3063, 3020, and 3067 to amendment No. 2953.

The amendments are as follows:

AMENDMENT NO. 3029

(Purpose: To provide for the modernization of the energy policy for Indian tribal land)

(The amendment is printed in the RECORD of January 27, 2016, under "Text of Amendments.")

AMENDMENT NO. 2984

(Purpose: To include water and wastewater treatment facilities among energy-intensive industries and to expand the role of the institution of higher education-based industrial research and assessment centers)

On page 125, strike lines 3 through 7 and insert the following:

(A) in paragraph (2)—

(i) by redesignating subparagraph (E) as subparagraph (F); and

(ii) by inserting before subparagraph (F) (as so redesignated) the following:

"(E) water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and";

(B) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(C) by inserting after paragraph (2) the following:

On page 129, strike line 4 and insert the following:

ment of Energy.

"(7) EXPANSION OF TECHNICAL ASSISTANCE.—The Secretary shall expand the institution of higher education-based industrial research and assessment centers, working across Federal agencies as necessary—

"(A) to provide comparable assessment services to water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and

"(B) to equip the directors of the centers with the training and tools necessary to provide technical assistance on energy savings to the water and wastewater treatment facilities.".

AMENDMENT NO. 3001

(Purpose: To modify a provision relating to national goals for geothermal production and site identification)

In section 3005(2), insert " , through a program conducted in collaboration with industry, including cost-shared exploration drilling" after "available technologies".

AMENDMENT NO. 3063

(Purpose: To require a study of the feasibility of establishing an ethane storage and distribution hub in the United States)

At the end of subtitle B of title III, add the following:

SEC. 310 . ETHANE STORAGE STUDY.

(a) IN GENERAL.—The Secretary and the Secretary of Commerce, in consultation with other relevant Federal departments and agencies and stakeholders, shall conduct a study of the feasibility of establishing an ethane storage and distribution hub in the Marcellus, Utica, and Rogersville shale plays in the United States.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of, with respect to the proposed ethane storage and distribution hub—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above-ground storage capabilities;

(F) infrastructure needs; and
 (G) other markets and trading hubs, particularly hubs relating to ethane; and
 (2) the identification of potential additional benefits of the proposed hub to energy security.

(c) PUBLICATION OF RESULTS.—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of Commerce shall—

(1) submit to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate a report describing the results of the study under subsection (a); and

(2) publish those results on the Internet websites of the Departments of Energy and Commerce, respectively.

AMENDMENT NO. 3020

(Purpose: To provide for the reinstatement of the license for the Gibson Dam project)

On page 229, after line 22, add the following:

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (b) has expired before the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

AMENDMENT NO. 3067

(Purpose: To modernize certain terms relating to minorities)

At the end of subtitle H of title IV, add the following:

SEC. 47. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent” and inserting “Asian American, Native Hawaiian, a Pacific Islander, African-American, Hispanic, Puerto Rican, Native American, or an Alaska Native”.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended in the third sentence by striking “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts” and inserting “Asian American, Native Hawaiian, Pacific Islanders, African-American, Hispanic, Native American, or Alaska Natives”.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Ms. CANTWELL. Mr. President, reserving the right to object. I will not object. I just want to thank my colleague from Alaska for her hard work in working on both sides of the aisle today on these amendments: the Barrasso amendment about energy reported out of the Indian Affairs Committee, the Baldwin amendment about water treatment, the Wyden amendment on U.S. geothermal, the Capito amendment on ethane storage facilities, the Daines amendment on hydro

license issues, and the Hirono amendment on removing offensive language in the DOE Organization Act.

Members have worked very hard throughout the day on these issues, and I just want to make this point, as my colleague and I try to finish working through the rest of this week and into next week to wrap up this bill, and thank all our colleagues for helping us on this.

I will not object and am glad we got to this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3029, 2984, 3001, 3063, 3020, and 3067) were agreed to en bloc.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY MODERNIZATION BILL

Ms. MURKOWSKI. Mr. President, I want to follow up on the comments of the Senator from Washington and thank her for her willingness as we have worked through several of these matters throughout the morning, into the afternoon, and now here at the 5 o'clock hour. You do not get to a place where you can voice vote six amendments without a level of cooperation, and I thank her for that.

I thank our Members, but I also want to do a specific shout-out to our staffs, who have been working through some of the language, some of the issues, and coming together to provide us with a path forward.

I think we are optimistic that given the pace and the trajectory that we are on, we will be able to come in on Monday and hopefully be able to alert Members to a longer queue of votes that we will have identified so they can come prepared when we take up votes on Tuesday.

We will again be asking Members to spend good, constructive time. If you want to speak to your amendments, we will be in session on Monday for at least a few hours, and that would not be a bad time to come and speak to any of the issues that are of importance to you. We really do hope to put in place a more defined schedule for next week so that colleagues know the trajectory that we are on.

I think it is the intention of both Senator CANTWELL and myself that we move aggressively so that we can complete this very important bill by the

end of next week. I know that we have Members who are scheduled to come to the floor and speak to the Energy Policy Modernization Act.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKING THE SENATE PAGES

Ms. MURKOWSKI. Mr. President, as I was turning to go into the cloakroom, I saw the pages here in the corner. I have had an opportunity to visit with several of them an hour or so ago. Tomorrow is the last day of the session for these young pages who have come to us from all around the country to be with us for a 5-month period. It is a long time to be away from your home, your family, your school, your community, to be here in a strange place with other strange people, to be living in a dormitory situation, to have a very aggressive academic schedule and, by the way, at 16 years old, you are working.

You are told what you can wear. You are told you cannot have your cell phone. There are a lot of rules. Being a page is not an easy thing. We have some of the brightest young men and young women who come to us through the Senate page program.

I want each of you to know how proud we are of the job you do. You do it with a smile. You do it with an enthusiasm that I think helps us. I think it helps remind us that this place is a special place, that it is a privilege to be serving in the Senate, whether it is as an elected Member or whether it is as a page or as those who are doing the transcription of Senators' comments or as staff. The fact that these men and women come here and help with the efficient operation of the day-to-day activities needs to be recognized. Our page class of 2015–2016 certainly deserves a shout-out.

I want to thank you for your work that you have given us, making us look a little more efficient and a little better at our job. Thank you for what you do and best wishes to you all.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT

Mr. PERDUE. Mr. President, Washington received a loud wake-up call